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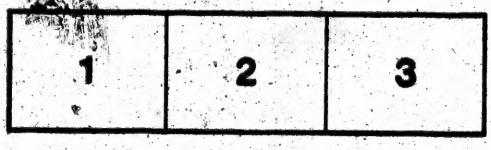

TESTIMONY OF SOMMERS, J.B.

TESTIMONY

OF

SANDFORD CONOVER,

DR. J. B. MERRITT,

AND

RICHARD MONTGOMERY,

BEFORE A

Military Court at Washington,

RESPECTING THE

ASSASSINATION OF PRESIDENT LINCOLN,

AND

THE PROOFS DISPROVING THEIR STATEMENTS, AND SHOWING THEIR PERJURIES.

TORONTO:
PRINTED BY LOVELL & GIBSON, YONGE STREET.
1865.

TESTIMONY OF SANDFORD CONOVER, &c.

J34929
JUNE 28 1954

SANDFORD CONOVER, ALIAS JAMES WATSON WALLACE.

This person, whose real name appears to be Charles Dunham, testified twice before the Military Commission at Washington ; once in the case of the St. Albans raiders at Montreal, and again by an *ex parte* affidavit made at Montreal. His statements made on these occasions under oath, and a letter written to Col. Jacob Thompson, dated March 20, 1865, will appear in the following pages, all contradicting one another, and his testimony contradicted also by the proofs taken in Canada.

The following is a report of his testimony before the Military Commission as reported in the New York *Times* :

TESTIMONY OF SANDFORD CONOVER.

Sandford Conover, a witness called for the prosecution, being duly sworn, testified as follows:

By Assistant Judge-Advocate Bingham—Q.—State your full name and your present place of residence. A.—Sandford Conover, Montreal, Canada?

Q.—How long have you resided in Montreal? A.—Since October last.

Q.—State where you resided previous to going to Canada. A.—I resided a short time in Baltimore.

Q.—State whether you resided further South before that. A.—Yes, Sir; at Richmond.

Q.—State what you were doing at Richmond when you were there. A.—I was a clerk in the War Department for a time.

Q.—How long? A.—Upwards of six months.

Q.—Do you mean the War Department of the Confederate States Government, as it was called? A.—Yes, Sir; the rebel War Department.

Q.—Who was at that time Secretary of War for that organization? A.—Mr. James A. Seddon.

Q.—How did you come to be in the rebel service? A.—I was conscripted and detailed for a clerkship. It was a cheap way of getting clerks.

In the St. Albans case he swore that he was commissioned as major to raise a battalion ; that he never served, being incapacitated by an accident and then kidnapped by the Northerners ; that he was in Richmond in September 1864, and then visited the War Department. (p. 17.)

Q.—State to the court whether, when you were in Canada, you made the acquaintance of any of the persons connected with the Confederate organization, as it was called, of rebels from Southern States? A.—I did, and have since been intimately associated with them.

Q.—State the names of those with whom you were so acquainted? A.—George N. Sanders, Jacob Thompson, Dr. Blackburn, Beverly Tucker, William C. Cleary, Lewis Castleman, Rev. Mr. Cameron, Mr. Potterfield, Capt. Magruder, and a number of others of less note.

Q.—Did you know Mr. Clement C. Clay? A.—I knew him. I may also include Gens. Frost of Mississippi, and Carroll, of Tennessee.

He denies this in his affidavit at Montreal, and it is disproved by affidavits of Pallen, Magruder, and Carroll. (pp. 17 and 25.)

Q.—Were you also acquainted with any persons who visited the persons named in Canada from the United States? A.—I knew Mr. Surratt; I knew Mr. Booth.

Q.—John Wilkes Booth? A.—Yes, Sir.

Q.—State whether you saw either of the persons last named, Booth or Surratt, in Canada more than once? A.—I never saw Booth more than once. I saw Surratt on several successive days.

Q.—With whom did you see them when they were there? A.—I saw Mr. Surratt on a number of days in April last. I saw him in Mr. Jacob Thompson's room, and I also saw him in company with Mr. George N. Saunders, at two or three places.

Q.—Did he pass by the name of John H. Surratt? A.—Surratt. I am not positive about his first name; I heard him called Jack by some—by Mr. Castleman.

Q.—Describe the personal appearance of Mr. Surratt? A.—He is a man of about five feet, nine, ten, or eleven inches—somewhere in that neighborhood, I should judge—a spare man, light complexioned, with light hair.

Q.—You say you saw him in Montreal in April last? A.—Yes, Sir.

Q.—About what time in April was it? A.—It was within a week before the President's assassination: I think about the 6th and 7th of April—somewhere in that vicinity.

Q.—In whose company was he at the time you saw him there? A.—I saw him in Mr. Thompson's company and in Mr. Sanders.

Q.—You say you saw him in Thompson's room? A.—I saw him in Mr. Thompson's room.

Q.—State whether he gave any communication to Thompson in your presence in his room, and what that communication was. A.—There was a conversation there at that time, from which it appeared that Mr. Surratt had brought dispatches from Richmond to Mr. Thompson. These dispatches were the subject of the consultation.

He says below that Gen. Carroll was present and took part in this conversation; as to which he is contradicted by Gen. Carroll's affidavit. (p. 26.)

Q.—From whom in Richmond were the dispatches brought? A.—From Mr. Benjamin, and I think there was also a letter in cipher from Mr. Davis. I am not so positive as to the letter, but there was a letter from him, whether in cipher or not.

Q.—Do you mean Judah P. Benjamin, Secretary of State of the so called Confederacy? A.—Yes, Sir.

Q.—You say the dispatches were the subject of conversation, what did they say was the substance of the dispatches, or what did they purport to be? A.—I had some conversation with Mr. Thompson previously on the subject of a plot to assassinate Mr. Lincoln and his Cabinet, of which I had informed the paper for which I was correspondent, and I had been invited to participate in that enterprise.

This previous conversation is more fully described afterwards and disproved.

Q.—By whom had you been so invited to participate in that enterprise? A.—By Mr. Thompson; and on this occasion he laid his hand on the papers or dispatches there, and said this makes the thing all right, (referring to the assent of the rebel authorities.

All these statements are contradicted by the affidavit of Wallace (or Conover) at Montreal. (p. 17.)

Q.—Did they speak of the persons that the rebel authorities had consented might be the victims of this plot? A.—Yes, Sir; Mr. Lincoln, Mr. Johnston, the Secretary of War, the Secretary of State and Judge Chase.

Q.—Did they say anything about any of the Generals? A.—And Grant.

Q.—In that connection was anything said, and if so, what was said by Thompson and Surratt or either of them, touching the effect the assassination of the officers named would have upon the people of the United States, and their power to elect a

President? A.—Mr. Thompson said on that occasion (I think I am not so positive that it was upon that occasion), but he did say on the day before the interview of which I speak, that it would leave the government entirely without a head; and there was no provision in the Constitution of the United States by which they could elect another President if these men were put out of the way.

Q.—State whether any other member of the Cabinet was named in that connection, touching the dispatches and the approval from Richmond? A.—No, further than this. Mr. Wells was named, but Mr. Thompson said it was not worth while to kill him, he was of no consequence; that was the remark that was made at the time.

Q.—You stated there was a letter in cipher from Davis, as well as the dispatch of Secretary Benjamin? A.—Yes, Sir.

Q.—Was the substance of the letter of Davis also spoken of? A.—No, only generally.

Q.—In connection with the dispatch? A.—Yes.

Q.—Was any other subject mentioned? A.—Yes; if I may be allowed, I will state my first interview on that subject.

Q.—When was your first interview with him on that subject? A.—In February last.

Q.—About what time in February? A.—In the early part of February.

It is shown by the letter of Wallace (or Conover) to Col. J. Thompson proposing to destroy the Croton Water Works, and dated 20th of March, 1865, that up to that date he was not acquainted with Thompson, and it is proved by the affidavits of Dennison, Chadwick, &c., that Thompson was not in Montreal at any time between the 1st of January and the 14th of February. (pp. 27, 59, 60, and 61.)

Q.—That was where? A.—That was in Mr. Thompson's room, in the St. Lawrence Hall Hotel.

Q.—State, if you please, what was said at that time by Mr. Thompson on that subject, in your presence? A.—I had called on Mr. Thompson to make some inquiry about a raid which had been contemplated on Ogdensburgh, New York, which had failed because the United States Government had received some intimation of the intentions of the rebels there, and were prepared for it, and I called to hear what was to be done next, seeking items for my newspaper; and being supposed by Mr. Thompson to be a good rebel, he said, "We would have to drop it for a time; but we will catch them asleep yet;" and he observed, "There is a better opportunity, a better chance to immortalize yourself, and save your country;" I told him I was ready to do anything to save the country, and asked him what was to be done; he said, "Some of our boys are going to play a grand joke on Abe and Andy;" that was his expression; this led to explanations, when he informed me it was to kill them, or rather to remove them from office; to use his own expression, he said, "It was only removing them from office; that the killing of a tyrant was no murder."

Q.—State whether anything was said at that time on the subject of commissions from the rebel authorities in his hands in blank. A.—He had commissions and conferred one on Booth. I am not so positive whether he had conferred it on Booth then or not; but he told me either then or subsequently that Booth had been commissioned and that everybody engaged in the enterprise would be commissioned; and if it succeeded or failed and they escaped to Canada they could not be successfully claimed under the Extradition Treaty.

Q.—State whether you have any personal knowledge of their holding these commissions in blank from the Confederate States. A.—Yes, Sir; the commission conferred on Bennett H. Young, the St. Albans raider, was given to him in blank.

Contradicted by Young's affidavit. (p. 59.)

Q.—By whom? A.—It was a blank commission filled up and conferred by Mr. Clay.

Q.—What names were attached to it as it came into the hands of the men from Richmond, if any? A.—James A. Seddon, Secretary of War.

Q.—State to the court whether you saw the commission yourself. A.—I did.

Q.—At whose instance were you called to see it? A.—Mr. Thompson's.

Q.—State whether you were asked to testify about the genuineness of Seddon's signature, you having been a clerk in his department? A.—I was.

Q.—By whom were you asked? A.—By Mr. Thompson and Mr. Abbott, the counsel in the case, and also by Sanders and Young himself.

It appears by Chadwick's affidavit that Thompson did not arrive in Montreal until noon, 14th February, the day on which Wallace testified. It appears by Wallace's letter of 20th March, that at this time he did not know Thompson. (pp. 27 and 60.)

Q. State whether you did testify on the question of the genuineness of that signature of Seddon's? A.—I did.

Q.—In that court? A.—I testified before Judge ——; the signature was genuine.

Q.—State to the court whether you are acquainted and familiar with the handwriting of James A. Seddon, the rebel Secretary of War? A.—Yes, Sir.

Q.—State now to the court, upon your oath here, whether the signature to the blank commission you saw was his genuine signature or not? A.—It was his genuine signature.

Q.—You say you had a subsequent conversation with Thompson, after the one you have spoken of, as early in February, before the time you met him with Surratt; what time in February was it that you had that subsequent conversation? A.—I had conversations with him from day to day, almost every day during the whole of February, for that month.

It is proved by affidavits of clerks in the hotels, &c., that Thompson was not in Montreal in February until the 14th, and by Wallace's letter that he did not know Thompson before the 20th of March, 1865. (pp. 27 and 60.)

Q.—State to the court whether or not, on any of these occasions he offered you one of these commissions in this work of the assassination of the President? A.—Nothing further than this, that he suggested that I might immortalize myself and save the country, and in that same connection, said that Booth had been commissioned, and every man who would engage in the enterprise would be.

Q.—In those subsequent conversations state anything that was said about the extent to which this plot was to be carried—what language was used? A.—At another time I had a conversation with Mr. Wm. C. Cleary. That was the day before or the same day of the assassination.

It is proved by Dennison, Chadwick, &c., that Cleary left Montreal on the 10th of April, four days before the assassination, for Riviere du Loup, (more than three hundred miles from Montreal), by La Marquis and La Rochelle that he was at Riviere du Loup from the 11th until the 23rd of April, (a week after the assassination), when he left for Canada West, and by a passport from Col. Hill, that he was in Detroit on the 29th of April, (nine hundred miles from Riviere du Loup), to hold an interview with Mr. Emmons, agent of the State Department of the United States. (pp. 58, 60 and 26.)

Q.—Where at? A.—At St. Lawrence Hall. We were speaking of the rejoicing in the States over the surrender of Lee and the capture of Richmond, and so on, and Cleary remarked that "they would put the laugh on the other side of their mouth in a day or two." I think that was the day before the assassination took place.

Q.—How did he say they would do it? A.—There was nothing further than that said. It was known that I was in the secret of the conspiracy, and it was that he had referred to. It was talked about as commonly as we would speak of the weather.

Q.—Did you have any conversation with Sanders about that time about it? One time before that I had a conversation, and he asked me if I knew Booth very well. He expressed some apprehension that Booth would make a fizzle of it; that he was dissipated and reckless, and he was afraid the whole thing would prove a failure.

Q.—What business were you engaged in, in fact, during your stay in Canada, while you were ostensibly a rebel? A.—I was a correspondent of the New York *Tribune*.

Q.—State to the Court whether, before the assassination of the President, you communicated to any person in the United States the information you had received about their intended raid on Ogdensburgh or the assassination of the President and his

Cabinet? A.—I did, to the New York *Tribune*, and they declined to publish it, because they had been accused of publishing sensation stories of that kind before, and they feared there might be nothing in it, and did not wish to be accused of publishing sensation stories.

Q.—State whether you mean to be understood as saying that you communicated both the plan to make a raid on Ogdensburgh, and the other in regard to the assassination of the President, or only one. A.—Both.

Q.—About how long before the President's assassination did you make the communication? A.—I did it in March last, and also in February, I think. I gave them a paragraph on the subject, I think, before the 4th of March.

Q.—In order that we may be certain about it, I ask you again, without indicating myself the date, about what time it was that you saw this Surratt whom you have described in the rooms of Thompson, in Montreal, as the bearer of dispatches from Richmond? A.—I think it was about the 7th or 8th of April last, somewhere in that neighborhood; I could not state it to a day, it might have been the 8th or 9th, but it was within four or five days preceding the assassination of the President.

Q.—State what was said by Surratt, if anything, indicating his connection with the plot? A.—There was considerable conversation on the subject; I am unable to render anything Surratt said in particular, but from the whole conversation I inferred that he was to take his part, whatever it might be.

Q.—State whether the substance of his conversation was that he was one of the persons in the plot to execute the conspiracy on the President and his cabinet? A.—That was the understanding.

Q.—Was that the substance of his conversation or not? A.—That was the substance of the conversation.

Q.—I should like to know whether anything was said in the several conversations you had with Thompson, Clay and Sanders about the use of the money in the business or not? A.—I do not think there was, but it was always well understood that there was plenty of money where there was anything to be done. I do not think I ever heard anything said about money or compensation at all.

Q.—When you say it was always understood, do you mean it was so stated in general terms by these men or not? A.—I do not think there was anything said on the subject. There may have been, but not in my presence. I think there was nothing said on the subject of money.

Q.—Did Surratt state at that time at what time he had left Richmond or not? A.—I do not remember that he did, but it was a very few days before. I do not know whether he stated it or whether I understood it from Mr. Thompson, or how, but the understanding was that it was a very short time before. He was just from Richmond, as I understood.

Cross-examined by Mr. Doester—Q.—Did you ever see the prisoners Payne or Atzeroth, in Canada? A.—No, Sir. I do not think I ever saw any of them anywhere.

The prisoner, George A. Atzeroth, stood up for identification.

Witness—No, Sir; I have no recollection of ever seeing him; I think not.

Q.—You state that you had never seen the prisoner Payne in Canada? (The prisoner, Lewis Payne, stood up for identification.) A.—I have no recollection of it.

Q.—When did you leave Richmond to go North? A.—In December, 1863.

In the St. Albans case he swore he was in Richmond in September, 1864. (p. 17.)

Q.—Did you go immediately to New York? A.—Yes, Sir.

Q.—Did you in New York make an arrangement to become the correspondent of the *Tribune*? A.—No, Sir: I contributed articles which were published, and my engagement was made in writing afterwards; the first article I contributed was from this city.

Q.—Was the arrangement made in New York? A.—No, Sir; it was made by letter.

Q.—Where was it made? A.—It was made in answer to my first communication; I enclosed the letter for publication to the Editor of the New York *Tribune*, which was put out, and I was requested to continue my correspondence, and did so, and received compensation from time to time.

Q.—What I want to get at is, where you were at the time you were engaged as a correspondent of the *Tribune*. Were you in Washington at the time you made a regular connection with the *Tribune* as a correspondent? A.—Yes, Sir.

Q.—Then how soon did you go to Canada? A.—I went to Canada last October.

Q.—In addition to being a correspondent of the *Tribune*, were you in the service and pay of our government? A.—No, Sir.

Q.—Have you ever received compensation or pay from our government for services rendered? A.—Not one cent nor promise.

Q.—Did you give out in Canada—was it generally understood—that you were a correspondent of the *Tribune*? A.—No, Sir; it was understood that I was a rebel.

Q.—When you asked these gentlemen whom you have named if they had items that would be fit for publication, what paper did they suppose you were in correspondence with? A.—I never asked them for any items. They never supposed I was a correspondent for any paper.

Q.—You said something about items for a paper? A.—I was seeking items but I did not ask for them; what I, however, learned in conversation, and learned from these parties, because they supposed that I was a rebel, and I was in their confidence.

Q.—Then they never had any means of knowing that you were a correspondent of the *Tribune*? A.—No, Sir.

Q.—Were you admitted freely to their meetings? A.—Yes, Sir; quite so.

Q.—And to their confidence, too? A.—I think so, Sir; they may have had secrets that I am not aware of, but I certainly knew of a great many of their matters that they intended to keep secret from the public.

Q.—Was the disclosure of the intended raid upon Ogdensburgh published in the *Tribune*? A.—I think it was; I contributed a letter with information of that kind in it.

Q.—Did I understand you as stating to the court that you also communicated to the *Tribune* something of the plot about the assassination? A.—Yes, Sir; I wrote them on that subject.

Q.—Did you communicate it to any one else? A.—No one but to the *Tribune* and my own family.

Q.—What was your idea in not communicating that important intelligence at once to the government, instead of to the *Tribune*? A.—I supposed that in giving it to the *Tribune* that it amounted to the same thing as giving it to the government; I supposed that the relations between the editor and proprietors of the *Tribune* and the government were such that they would lose no time in giving them information on the subject, and I did not choose to have the information go to the government directly from me; in regard to this, as in regard to some other secrets of the rebels in Canada, that I have exposed, I requested Mr. Gay, of the *Tribune* to give information to the government, and I believe he has formerly done so.

Q.—You must have been aware, as a newspaper man, that if the fact was published in the newspapers it would defeat the opportunity of capturing the parties? A.—Certainly so, Sir.

It would seem here that Conover remained all winter at Montreal merely to pick up items for a newspaper; that he was to be paid only for what was published; that the most important items he got from the rebels were not published; that to get such items he changed his name and pretended to be a rebel; that to deceive the rebels he perjured himself for their benefit in the St. Albans case; entered into plans for poisoning, assassinating, &c., and wrote a proposition to destroy the Croton Water Works. He talked with them about the assassination of President Lincoln as he would about the weather, but neglected from February till April to communicate his information on that subject to any officer of the government. But he swears also here that he was in the employment of the Federal Government.

Q.—How many times did you see Surratt in Canada? A.—I saw him for three or four times in succession; I think in April last.

Q.—In whose room did you meet him? A.—I saw him in Mr. Jacob Thompson's room; I also saw him in Mr. Sander's room once.

Q.—Had you any conversation with him personally? A.—I had.

Q.—What did he say to you? A.—Nothing more than speaking about Richmond, I asking him how it looked, and what changes there were in it.

Q.—He never said anything to you, personally, himself, about the intended assas-

sination? A.—No, Sir: only what was said in Mr. Thompson's room; I was introduced to him by Mr. Sanders; that was the first I had seen of him.

Q.—Since you learned of the assassination, to whom did you communicate your previous knowledge of it? A.—To the *Tribune* people.

Q.—Did you go in Canada by the name of Sandford Conover? A.—No, Sir.

Q.—What name did you go by there? A.—James Watson Wallace.

Q.—Fix the precise date, if you can, when you met Mr. Surratt at Mr. Thompson's room? A.—I could not say within two or three days; I think it might have been the 7th or 8th or 9th of April.

Q.—On or about that time? A.—Yes, Sir; it was near that time.

Q.—Did you learn anything while in Canada of the attempt to fire the city of New York? A.—Yes, Sir; I heard the matter discussed.

Q.—Did you communicate that intelligence to any one? A.—I knew nothing of it until after the attempt had been made.

Q.—In representing yourself to those parties as being a good rebel and being in confidence, were you ever charged with the execution of any plot or project of theirs? A.—No, Sir.

Q.—Of any description? A.—Yes, I was expected to.

Q.—You never received any pay from our government or from the so-called Confederate Government, since you were in Canada? A.—No, Sir, from no one except the New York *Tribune*.

Q.—Did you sign your name to your articles in the *Tribune* that were published? A.—No, Sir.

Q.—Gave no signature? A.—No, Sir, none at all: it was not desirable to the publisher.

Cross-examined by Mr. Coz—Q.—Did you hear discussed among those individuals the project of the capture of the President and the carrying him to Richmond? A.—Yes; I think I heard that talked of in February.

Q.—Did you ever attend a meeting of all those persons, Thompson, Clay, and others? A.—I have been with Mr. Thompson, Sanders, Tucker, Cleary and Gen. Carroll at the same time.

Q.—Have you ever attended a meeting for the purpose of considering any plans, of hearing among themselves any advices from Richmond? A.—Not for the purpose of considering any plans.

Q.—Were you present at any meeting in which a letter from Mr. Davis was read? A.—No; not when it was read; those letters were all in cypher, and I merely heard the substance of them repeated.

Q.—You spoke of Mr. Thompson's laying his hand upon some letters and saying that made it all right? A.—That referred to the dispatches from Richmond brought by Surratt.

Q.—That was in April, was it not? A.—Yes, Sir; it was in April; I had previously asked Mr. Thompson, when he first suggested that I should participate in this affair, if it would meet the approbation of the Government at Richmond; he said he thought it would, but he should know in a few days; that was early in February.

But it is proved by several affidavits that Thompson was not in Montreal in February, until noon of the 14th; and on the 20th of March, 1865, Wallace (or Conover) excuses his letter to Thompson (proposing to destroy the Croton Water Works) by saying: "Although I have not the pleasure of your acquaintance, you will probably *remember me as a witness* in behalf of the raiders, &c." (p. 27.)

Q.—I thought I understood you to state that he said the authority was given in February? A.—No, Sir; in April, in Surratt's presence.

Q.—And he then referred to those papers as having furnished the assent? A.—Yes, Sir.

Q.—The first statement in February was that he was expecting dispatches from Richmond, and expected them in a few days? A.—Yes, to know whether the offer would receive the approbation of the government or not.

Q.—Did you understand that that communication in April was the first official approval that they had received from Richmond of this plan to assassinate the Presi-

dent? A.—I understood that it was not; said that it was the first; but I knew of others.

Q.—You understood that was the first? A.—Yes, Sir, I inferred that.

By Mr. Aiken—Q.—In all your conferences and familiar interviews with these rebels in Canada, did you ever hear the name of Mary E. Surratt mentioned as a friend of theirs? A.—I never did,

By Assistant Judge-Advocate Bingham—Q.—Did you state, in answer to one of the questions put to you on the examination, anything about a remark of Mr. Jacob Thompson that it was not murder to kill a tyrant? A.—Yes, Sir; he said that killing a tyrant, in such a case, was no murder, and he asked me at the same time if I had ever read the work entitled, "Killing no Murder," a letter addressed by Col. Titus to Oliver Cromwell.

Q.—In what conversation was it that Jacob Thompson made use of that expression? A.—That was in the conversation in February.

Q.—Was it in that conversation he named the Cabinet officers and others that were to be the victims of this conspiracy? A.—Yes, Sir; it was at that time. Mr. Hamlin was also to have been included, had the scheme been carried out before the 5th of March.

Learning in February that the assassination might be attempted before the 4th of March, the witness was not in urgent haste to warn the government even when he found the *Tribune* people treated his story as apochryphal!

Q.—Was he named especially? A.—Yes, Sir; with the rest.

Q.—Were the other parties that you have enumerated named also in February? A.—Yes, Sir.

Q.—What members of the Cabinet? A.—The Secretary of War, the Secretary of State, Gen. Grant, Judge Chase, the Vice-President and President Lincoln.

Q.—In April who else were named? A.—The same persons, with the exception that Mr. Hamlin was omitted, and Vice-President Johnson put in his place.

By the Court—Q.—You have stated that you were a conscript in the rebel service. In what State were you conscripted? A.—South Carolina.

By Assistant Judge-Advocate Bingham—Q.—Of what State are you a native? A.—New York.

Q.—Where were you residing when you were conscripted? A.—Near Columbia, S. C.

By the Court—Q.—How did you come from Richmond? A.—I ran the blockade; I walked it most of the way; I rode in the cars to Hanover Junction, and from there walked.

Q.—By way of the Potomac? A.—I came up through Snickerville to Charleston, Va., and from there to Harper's Ferry, and so on.

Q.—As I understand you, you said you saw those blank commissions that were signed by Seddon, Secretary of War, to be given to the persons that were engaged in the assassination of the President and Cabinet? A.—I saw commissions after they had been filled.

Q.—In Canada? A.—Yes, Sir.

Q.—Did you see how much of them was blank when they came from Richmond? A.—They were all blank but the signatures.

Q.—Was there no grades of rank on them? A.—No, Sir; that was put in by the agents themselves; they conferred these commissions at pleasure.

Q.—Did you understand that these commissions were to be given upon their engaging in this affair as a sort of cover in the case; they were to be given upon their engaging in this affair as a sort of cover in case they were taken, as that they were to go in the army following it? A.—It was a cover so that in case they were detected they could claim that they were rebel soldiers, and would therefore claim to be treated as prisoners of war; and it was understood that they would be protected as such.

Q.—These commissions you say were to be given to them as soon as they engaged in this enterprise; was that engagement to be given by an oath, or by the obligation of a contract? Did you understand that? A.—That I do not know, but they took the oath of office, I suppose, or whatever it might be called.

By Mr. Stone—Q.—Were these commissions to be conferred principally as a reward for carrying out the assassination project, or for any of those enterprises that were prosecuted on the border? A.—It was to enable the parties upon whom they

were conferred to act officially, and act as a rebel soldier, and be protected as such in case they were detected.

Q.—Could that apply to anything but raids on the border? They could not expect an assassin to be protected by a commission, I suppose? A.—It was not murder, Mr. Thompson said—mere killing.

Q.—Did the giving of these commissions have reference to the assassination project, or embrace all the enterprises on the border? A.—It embraced the whole of them, but I think Booth was especially commissioned for this purpose.

Q.—How early was it that you saw these commissions? A.—I saw some commissions as early as December.

Q.—They of course did not indicate what they were—they were all blank? A.—No, Sir, they did not. They were all in blank. The commission of B. H. Young was a commission of the same sort, and was filled up and conferred by Mr. Clay. He never was in Richmond at all.

This is denied by Young's affidavit. (p. 59.)

By Assistant Judge-Advocate Bingham—Q.—I forget to ask you what time it was that you saw John Wilkes Booth in Canada? A.—I saw him in the latter part of October last, I think.

Q.—With whom was he? A.—I saw him with Sanders. I saw him at Mr. Thompson's. I saw him more about the St. Lawrence Hotel. He was strutting about the hotel dissipating, playing billiards, &c. &c.

It is proved by the clerks of the Queen's Hotel that Thompson was never absent from Toronto, between the 17th of October, 1864, and 15th February, 1865, except three days between the 21st and 24th December, and absent only a few days between the 17th of July and 17th of October, 1864.

By Mr. Cox.—Q.—Was it in February that Mr. Thompson said he had conferred one commission on Booth? A.—It was in February.

Q.—Can you tell what part of February? A.—It was in the early part of February, or it might have been the latter part of January; but I think it was the early part of February.

It is proved that Thompson was not at Montreal at all in January nor in February, until the 14th, when the St. Albans trial was going on. (p. 60.)

By the Court.—Q.—Did the same party that planned this assassination plan the burning of New York and other cities? A.—I do not know; I do not know anything farther than that I have an opinion on the subject; I presume they did.

No court of justice would permit this style of examination.

Q.—It is your belief that they did? A.—Yes, Sir.

Q.—This same party? A.—I have heard them talk of some other enterprise of the same character; some they have under consideration now.

Q.—You have a knowledge about the St. Albans raid? A.—Yes, Sir.

Q.—Did they plan it? A.—The same men planned it.

Q.—Were the commissions you speak of similar to the commissions issued by the government to army officers, or have you seen them? A.—I have never seen them.

Q.—Were they signed by the President as well as the Secretary of War?

By Assistant Judge-Advocate Burnett—Q.—When you say you have never seen them, which commissions do you refer to? A.—United States Army commissions; was asked if the commissions were similar to United States army commissions.

By Mr. Aiken—Q.—You referred to the same party in speaking of the St. Albans raid. What party do you mean? A.—Mr. Thompson and Sanders.

Q.—You do not mean Surratt and Booth? A.—No, Sir.

Q.—Were these commissions signed by Jeff. Davis in blank? A.—No, Sir; by James A. Seddon, Secretary of War.

Q.—Is it not the custom for the President to sign them also?

Assistant-Judge-Advocate Bingham.—They have not lived long enough to have a custom.

A.—On the trial of the St. Albans raiders Gen. Carroll and a number of other

officers of the Confederate army testified that the custom was that the rebel officers had their commissions signed only by the Secretary of War.

By the Court—Q.—Are you familiar with the cypher which they had in the rebel War Department? A.—No, Sir, I am not.

Q.—You could not tell one if you see it? A.—I could not.

By Assistant-Judge-Advocate Bingham.—I am instructed to make an inquiry of you, in consequence of a question asked you by the Court, what conversation, if any, did you hear among those rebel refugees in Canada about the burning of New York City and other Northern cities? A.—There was a proposition before their council, their junta, to destroy the Croton dam, by which the City of New York is supplied with water, and it was supposed it would not only damage the manufactories, but distress the people generally, everywhere; but Mr. Thompson remarked that they would have plenty of force, and the whole city would soon be destroyed by a general conflagration, and without sending any Kennedy or anybody else there, and if they had thought of this sometime before they might have saved some necks.

See this witness's letter of 20th March to Thompson, proposing to destroy the Croton dam, and the affidavit of Cameron, that when he carried such a letter to Thompson he said, "Is the man mad? is he a fool?" See also affidavit of Gen. Carroll. (pp. 22, 26 and 27.)

Q.—When did he say that? A.—That was a few weeks ago.

Q.—Who was present when he said that? A.—Mr. Thompson, Michael, Mr. Sanders, Mr. Castleman and Gen. Carroll.

Q.—Do you know of anything being said between those parties or any others of the same man you have named in regard to the description from last year? A.—I heard a very great deal of talk about it and know they had arms concealed there, and that they had a large number of men concealed away at Chicago, some eight hundred men there.

Q.—Did Thompson and the others state for what purpose? A.—Releasing the prisoners it was understood.

Q.—What prisoners? A.—At Camp Douglas, I think, they called it, or Camp Chase, or whatever camp it may be in which they were confined.

Q.—You mean rebel prisoners? A.—Yes, sir; I think they called it Camp Douglas.

The commission then adjourned until Monday morning, at ten o'clock.

Examination of Sandford Conover resumed for the prosecution.

By the Judge Advocate:—Q.—You have probably observed that in some judicial proceedings that have recently taken place at Washington, it has been made to appear that a certain Dr. Blackburn packed a number of trunks with clothes infected with the yellow fever, for the purpose, through them, of introducing the pestilence into the City of New-York. I wish you to state whether or not the Dr. Blackburn referred to in these proceedings is or is not the same person to whom you referred in your testimony on Saturday, as being in intimate association with Jacob Thompson, Clay and others. A.—It is the same person, but I never saw him with Clay.

Q.—Will you state the persons whom you saw associating with this Dr. Blackburn in Canada? A.—Jacob Thompson, George N. Sanders, Lewis Sanders, (son of George N. Sanders,) Gov. Wescott of Florida, Lewis Castleman, Wm. C. Cleary.

Q.—Was Clay among them? A.—No, Sir; I never saw Clay with him; also Mr. Porterfield, Capt. Magruder, and a number of rebels of lesser note.

Q.—State whether or not this Dr. Blackburn was recognized there and known as an agent of the so-called Confederate States? A.—Yes, Sir; he was said to be an agent, and represented himself as an agent.

Q.—Just as Jacob Thompson was an agent? A.—Yes, Sir.

Q.—Will you state whether or not you had any consultations among these men upon the subject of introducing the pestilence into the cities of the United States, and what was said, and when? A.—In January last I knew of Dr. Blackburn employing a person to accompany him for that purpose.

A member of the Ministry of Canada was duly informed that Col. Thompson was a political agent of the Confederate government with instructions to do nothing in violation of the laws of Canada or the neutrality laws. It

is not known or believed that the Confederate government had any other agent in Canada except Mr. C. C. Clay, and (for a short time and for a specific purpose) Prof. Holcomb. Mr. Cleary had an official position under Col. Thompson as his Secretary. Except military or naval officers, authorized only according to the purport of their commissions, it is not probable that there were any other agents ever in Canada.

Q.—Name the person. A.—Mr. John Cameron, for the purpose of taking charge of goods and bringing them to the cities of New-York, Philadelphia and Washington, as I understood.

This is contradicted by Cameron's affidavit. (p. 22.)

Q.—You mean goods infected with yellow fever? A.—Yes, Sir; I heard Dr. Blackburn say that about a year before that time he had endeavored to introduce the yellow fever in New-York, but for reasons, which I do not remember, failed; he went from Montreal, about a year ago last January, to Bermuda, or some of the West India Islands, for the express purpose of attending cases of yellow fever, collecting infected clothing, and so on, and forwarding it to New-York, but, for some reason, the scheme failed.

Q.—Did you learn on his return, in the course of these consultations, what he had done, and what had interfered, if anything had, to lead to a failure of the enterprise? A.—I have seen him, but not to speak to him, since his return.

Q.—Was Jacob Thompson present at those consultations? A.—On one occasion, I remember, Jacob Thompson and Mr. Cleary, and I think also Lewis Sanders.

Q.—Will you state whether or not they were concerned in the enterprise of Dr. Blackburn introducing the pestilence in the manner mentioned? A.—Yes, Sir; they all favored it, and were all very much interested in this, until it was proposed to destroy the Croton dam, and Dr. Blackburn proposed to poison the reservoirs, and made a calculation of the amount of the poisonous matter it would take to impregnate the water so far as to render an ordinary draught poisonous and deadly.

Q.—Had he taken the measure of the aqueduct so as to ascertain what amount would be required? A.—He had the capacity of the reservoirs, the amount of water that was generally kept in them.

Q.—Was the kind of poison he proposed to use mentioned? A.—Strychnine, arsenic and acids, prussic acid, and a number of others which I do not remember.

Q.—Did he or not regard the scheme as a feasible one? A.—Yes. Mr. Thompson, however, feared it would be impossible to collect so large a quantity of poisons without exciting suspicion, and leading to the detection of parties; but whether the scheme has been abandoned or not, I do not know. So far as the blowing up of the dam is concerned, it has not been.

Q.—Will you state whether or not Jacob Thompson fully approbated the enterprise if practicable? A.—Yes, Sir.

Q.—Discussed it fully? A.—Yes, Sir.

Q.—Did the other person whom you have named also discuss and approve it? A.—Mr. Lewis Sanders and Mr. Cleary, I remember very well, did.

Q.—When was this matter discussed? In January last: I have heard it spoken of since.

It is clearly proved that neither Thompson nor Cleary was at Montreal in January and that Conover (or Wallace) did not know Thompson at all before 20th March, 1865. See affidavits of the hotel clerks and Wallace's letter to Thompson of 20th March.

Q.—Among the same persons? A.—With the exception of Dr. Blackburn; it was spoken of by a Mr. Montress A. Pallon, of Mississippi; also a rebel who had been a medical purveyor in the rebel army.

Q.—Where does the agent, John Cameron, of whom you speak as having been employed by Dr. Blackburn for this purpose, live? A.—He has lived in Montreal; he declined to go, being fearful of taking the yellow fever and dying himself.

Q.—Do you know whether a large compensation was offered him? A.—Yes, Sir; to the extent of several thousand dollars, he told me.

Q.—Did you understand whether this was to be paid by Jacob Thompson? A.—I

understood by Dr. Blackburn, or by the agents. I think Mr. Thompson was the monied agent for all the other agents. I think they all drew on him for what money they required. I know that some of them did.

Q.—You say that up to the time when you left Canada, or at the assassination of the President, you did not know whether the enterprise for poisoning the people of the City of New York had been abandoned or not by these conspirators? A.—No, Sir; I did not know whether it had been abandoned. So far as the destruction of the dam is concerned, that part of the scheme had not been abandoned.

Q.—The only difficulty which Jacob Thompson suggested, I understood you, was that the collection of so large an amount of poison might attract attention to the operation? A.—Yes, Sir; Mr. Thompson made a suggestion of that kind; but Mr. Fallon and others thought it could be managed in Europe.

Fallon's affidavit contradicts this story. (p. 25.)

Q.—Fallon himself is a physician, is he not? A.—Yes, Sir.

Q.—State whether, in connection with this enterprise for introducing pestilence into our cities, you have heard mentioned the name of Harris as an agent in any way? A.—I do not distinctly remember that I have; I think I have heard him mentioned; but I have never seen the person.

Q.—Have you any recollection as to where he probably resided at that time. A.—Toronto, I think.

Q.—You have no knowledge of any part that he actually performed or undertook to perform? A.—No, Sir; there were other parties in Montreal that Dr. Blackburn has also employed, or endeavoured to employ, but I do not remember their names at the present time. I know the parties very well by sight when I see them. There were two medical students.

Q.—Do you know whether any of these persons accompanied him when he went to Bermuda for the purpose of carrying out his plan? A.—I do not know. I think one of them did. I have seen him since, however. I saw him with Dr. Blackburn two or three days before I left for New York.

Q.—Did you not, while in Canada, make the acquaintance of a Dr. Stuart Robinson, a Doctor of Divinity, who was a refugee from Kentucky? A.—Yes, Sir; residing at Toronto. He had been editor of a paper in Kentucky, which, I think, has recently been suppressed.

The malignity of these questions and the falsity of the answers, with respect to Dr. Robinson, are exposed in his card.

Q.—Did you see this Doctor of Divinity in association with those men of whom you have spoken. A.—I have seen him with Thompson and with Blackburn.

Q.—Was he or not present at any of these conversations of which you have spoken? A.—He has been present when some of their schemes were being discussed. I do not remember whether he was present when the project for introducing yellow fever was discussed or not; or whether it was proposed to poison the Croton water; but on one or the other of these occasions he was present.

Q.—Will you state whether on that occasion he approved the scheme? A.—He approved of it; he approved anything that could be done under Heaven that would be justifiable under the circumstances—that was his expression.

Q.—He pronounced that as an exponent of divinity? A.—Yes, Sir; he is related to the Breckinridges of Kentucky, I think.

Q.—Is he not regarded as one of the most intense of all the traitors who have taken refuge in Canada. A.—Yes, Sir.

Q.—You speak of having seen Dr. Robinson with Dr. Blackburn and Jacob Thompson; I ask you to state whether his association with them did not seem to be of the same intimate and confidential character which was made by these men with each other?— A.—They appeared to be on very intimate terms.

Q.—Have you seen John H. Surratt in Canada since the assassination of the President? A.—Yes, Sir.

Q.—On what day did you see him—do you remember. A.—I think it was three or four days after the assassination.

Q.—Where at? A.—I saw him in the street with Mr. Porterfield.

Q.—Who is Mr. Porterfield? A.—Mr. Porterfield is a Southern gentleman; now a British subject, I believe, by special act of Canadian Parliament.

Q.—He is from the South? A.—Yes, Sir, he has been for some time a broker or a banker there; he is the gentleman who took charge of the St. Albans' plunder for the Ontario Bank, when prematurely given up by Judge Counsel.

Q.—He is one of the intimate associates of the Southern traitors of whom you have spoken? A.—Very intimate; on the most intimate terms with Thompson and Sanders.

Q.—You think it was three or four days after the assassination that you saw Surratt there? A.—Yes, Sir, it might have been three days; it was very soon after.

Q.—Did you learn from any source there when he arrived in Canada? A.—I did not; but I learned immediately after that he was suspected, and that officers were on his track, and that he had decamped.

By Mr. Aiken—Q.—At what time did you say you saw Mr. Surratt in Canada after the assassination? A.—I think it might have been three or four days. It might have been a day more or less, either way.

By the Court—Q.—The witness has mentioned in his testimony Capt. Magruder's name two or three times. Is that the Capt. Magruder who was formerly in the United States Navy? A.—Yes, Sir. A brother of Gen. Magruder of the rebel army.

Q.—Can you state the full name of this Dr. Blackburn you referred to, and what State he is from? A.—I do not know. I think he is from Mississippi, but I am not sure. I do not remember his full name. I do not think I ever heard it.

Q.—Was there only one Dr. Blackburn about there? A.—That is all. It is the same party who was connected with the yellow fever project. There is no doubt about its being the one and the same person.

By the Judge-Advocate—Q.—Will you state your age, and where you were born and educated? A.—I am 28 years old, born in New York and educated there.

He had sworn before in the St. Alban's case, and he swore afterwards, in the affidavit made at Montreal, that he was born in Virginia. (pp. 17 and 18.)

Q.—I understood you to state the other day that you were conscripted and forced into the rebel service? A.—Yes, Sir.

Q.—And you escaped the first moment you had an opportunity? A.—Yes, Sir; after being detailed as clerk in the War Department.

Q.—Will you state whether or not throughout you have not been, in your convictions and feelings, loyal to the Government of the United States? A.—I have always been so.

Q.—Have you or not personal knowledge that Jefferson Davis was the head of the so-called Confederate States, and was called its President, and acted as such, controlling its armies and civil administration? A.—It was a matter of public notoriety in the offices controlled by him, and I saw him act as such.

Q.—In the War Department where you were detailed as an officer, he was fully recognized as such? A.—Yes, sir.

Q.—I am not sure whether you have stated precisely. If you have not done it I wish you would. Now who were present at the conversation which you had with Jacob Thompson early in April, when he laid his hand on the dispatches? A.—Mr. Surratt, Gen. Carroll, I think, myself, and I think, Mr. Castleman, and I believe there were one or two others in the room, sitting further back.

Q.—Can you state whether any of these persons participated in the conversation? A.—Gen. Carroll, of Tennessee did. He was more anxious that Mr. Johnson should be killed than anybody else.

The falsehood of all this is exposed in Gen. Carroll's card. It is proved that he was sick in bed at the time of these pretended consultations. (p. 24.)

Q.—Did he so express himself? A.—He did. He said if the damned prick-louse were not killed by somebody, he would kill him himself.

Q.—Did he refer by that expression to the then Vice-President Johnson? A.—Yes, sir; that was his expression.

Q.—What did that expression mean? A.—A word of contempt for a tailor; it is a tailor's louse; a word of contempt for a tailor; I always understood it so; so Webster defines it, I believe.

Q.—Was it or not the sense of those present, as you gathered it from the conversa-

tion, that they regarded the enterprise of assassinating the President fully confirmed by the Rebel authorities at Richmond? A.—That was distinctly said.

Q.—Will you state whether or not you saw J. Wilkes Booth associating at any time with George N. Sanders? A.—I never saw Booth except on one day and evening; then he was strutting about the St. Lawrence Hall, as I have already said, and he was in conversation with Sanders and Thompson; I saw him talking with them, but I was not present at any conversation with either.

Q.—State whether or not J. Wilkes Booth had in Canada, in association with these men, any nickname, and, if so, what was it? A.—I have heard him called Pet.

Q.—By whom? A.—I do not distinctly remember; by Surratt, I think; by Thompson; by Cleary, I am sure.

Mr. Cleary has denounced all the stories of this witness, about him, as false. See his Card.

Q.—In that circle of men you have mentioned, you found him so called? A.—Yes, Sir; I can speak positive as to Cleary, and I think also Mr. Thompson.

Q.—This Stuart Robinson, Doctor of Divinity, of whom you have spoken—is he not the editor of the journal called the *Free Presbyterian*, in Kentucky? A.—He was an editor, but the paper has been suppressed by order of the Commanding-General in that department, I believe.

Q.—You have heard so? A.—I was told so.

Q.—Were you in Canada at the time Kennedy was executed in New-York for having fired the city? A.—I was.

Q.—Was this execution the subject of conversation among the men of whom you have spoken? A.—Oh! yes, Sir, a great deal.

Q.—Will you state whether or not, in these conversations, the crime for which he was executed—firing the city of New-York—was recognized as having been performed by the authority of the rebel government? A.—It was by the direction of Mr. Thompson.

The character which the witness assumes for himself, whether as a spy or an accomplice, would discredit his testimony. On better evidence than his oath, we now know that he made a written proposition to destroy the Croton Water Works. He had a strong motive to gratify the prosecutors, by swearing to whatever they wished to prove, even if there were no money in the case. Accordingly, his mode of answering the leading questions is that of a swift witness.

Q.—Did you learn that much from Mr. Thompson himself? A.—Yes; I think I may say I learned it from Mr. Thompson, or at least by conversation in his presence.

Q.—Kennedy was spoken of and recognized as an agent of the rebel government? A.—Yes, Sir; Thompson said Kennedy deserved to be hanged, and he was devilish glad he had been hanged, because he was a stupid fellow, and had managed things very badly.

Q.—On the ground of his being a bungler? A.—Yes, sir.

By Mr. Aiken—Q.—Did you ever meet more than one Surratt in Canada? A.—No, Sir.

Q.—Was Surratt introduced to you as coming from Mississippi? A.—No, Sir.

Q.—Was the place mentioned where he came from? A.—I do not remember that it was, but I was left with that impression; I knew that Surratt was from Baltimore; I never heard that, and do not know how I gained the information, but I had an impression of that kind.

Q.—Did you ever hear of any Surratt from Mississippi while you were there? A.—No.

Q.—Did you have a regular weekly salary from the *Tribune*, or were you paid by the letter? A.—Paid by the letter.

Q.—Where did you board in Montreal? A.—I boarded in two or three places; I boarded in Craig-street and in Monica-street.

Q.—You did not board at the St. Lawrence Hotel? A.—No, Sir; all these parties I have named did not board there; some did; Mr. Sanders did not, Mr. Tucker only part of the time.

Q.—Where did Jacob Thompson board? A.—At St. Lawrence Hotel.

The following is a certified copy, from the St. Alban's case, of the

VOLUNTARY EXAMINATION OF J. WATSON WALLACE.

PROVINCE OF CANADA, } The examination of James Watson Wallace, of Virginia,
District of Montreal. } and now in the city of Montreal, taken on oath this fourteenth day of February in the year of our Lord one thousand eight hundred and sixty-five, at the court house in the city of Montreal, in the district of Montreal aforesaid, before the undersigned the Honorable James Smith, one of the Justices of Her Majesty's Superior Courts for Lower Canada, in the presence and hearing of Squire Turner Teavis, Charles Moore Swager, Bennett H. Young, Marcus Spurr, and William H. Hutchinson, who are now charged before me, upon complaints made under oath before me under the provisions of the Treaty between Her Majesty the Queen and the United States of America.

James Watson Wallace, on his oath, saith:—I am a native of Virginia, one of the Confederate States. I resided in Jefferson County, in the said State. I left that State in October last. I know James A. Seddon, who was Secretary of War during last year. Being shown, and having examined the papers M, N, and O, I say that from my knowledge of his handwriting, the signatures to the said papers are the genuine signatures of the said James A. Seddon. I have seen him upon several occasions write and sign his name. He has signed documents, and afterwards handed them to me, in my presence. I never was in the Confederate army. I was commissioned as major to raise a battalion. I have seen a number of the commissions issued by the Confederate Government, and the commission of Lieutenant Young, marked "M," is in the usual form of all commissions issued in the army, and are always signed by the Secretary of War. I never served. I was incapacitated by an accident, and then kidnapped by the Northerners. I was in Richmond in September last. I then visited the War Department. It was then notorious that the war was to be carried into New England, in the same way as the Northerners had done in Virginia. When I was in Virginia I lived in my own house until I was burnt out, and my family were turned out, by the Northern soldiers.

The counsel for the United States objects to the whole of this evidence as illegal, irrelevant, and foreign to the issue, and consequently declines to cross-examine.

And further this deponent saith not, and hath signed, the foregoing having been previously read in the presence and hearing of the prisoners.

(Signed), J. WATSON WALLACE.

Sworn and taken before me this 14th February, 1865.

JAMES SMITH, J.C.S.

We certify that the above is a true copy of the examination of James Watson Wallace, the original of which remained of record in the Peace Office.

CARTER & DESSAULES,
Clerks of the Peace.

WALLACE'S AFFIDAVIT AT MONTREAL.

To the Editor of the Evening Telegraph:

SIR,—Please publish my affidavit now handed you, and the advertisement subjoined. I will obtain and furnish others for publication hereafter. I will add that if President Johnson will send me a safe conduct to go to Washington and return here, I will proceed thither and go before the Military Court, and make *profert* of myself in order that they may see whether or not I am the Sandford Conover who swore as stated.

JA[illegible]W. WALLACE.

Montreal, June 8, 1865.

PROVINCE OF CANADA, }
District of Montreal. }

James Watson Wallace, of the City and District of Montreal, counsellor at law, being duly sworn upon the Holy Evangelists, doth depose and say: I am the same James Watson Wallace who gave evidence upon the subject of the St. Alban's Raid,

which evidence appears on page 212 of the printed report of the said case. I am a native of the County of Loudon, in the commonwealth of Virginia. I arrived in Montreal in the month of October last past. I resided during a portion of last winter and spring in houses in Craig street and Monique street, in the city of Montreal. I have seen and examined the report of what is called the suppressed evidence before the court-martial now being holden at Washington City on Mrs. Surratt, Payne, and others, and I have looked carefully through the report of the evidence in the New York papers of a person calling himself Sandford Conover, who deposed to the facts that whilst in Montreal he went by the name of James Watson Wallace, and gave evidence in the St. Alban's raid investigation. That the said Sandford Conover evidently personated me before the said court-martial. That I never gave any testimony whatsoever before the said court-martial at Washington city. That I never had knowledge of John Wilkes Booth, except seeing him upon the stage, and did not know he was in Montreal until I saw it published after the murder of President Lincoln. That I never was a correspondent of the New York *Tribune*. That I never went under the name of Sandford Conover. That I never had any confidential communication with Mr. George N. Sanders, Beverly Tucker, Hon. Jacob Thompson, General Carroll of Tennessee, Dr. M. A. Pallen, or any of the others therein mentioned. That my acquaintance with every one of these gentlemen was slight; and, in fine, I have no hesitation in stating that the evidence of the said Sandford Conover personating me is false, untrue, and unfounded in fact, and is from beginning to end a tissue of falsehoods.

I have made this deposition voluntarily, and in justice to my own character and name.

(Signed), J. WATSON WALLACE.

Sworn to before me at Montreal this eighth day of June, 1865.

G. SMITH, J.P.

$500 reward will be given for the arrest, so that I can bring to punishment in Canada, the infamous and perjured scoundrel who recently personated me under the name of Sandford Conover, and deposed to a tissue of falsehoods before the military commander at Washington.

JAMES W. WALLACE.

I, Alfred Perry, of Montreal, do hereby certify that I was present when the said James Watson Wallace gave the above deposition, and that he gave it of his own free will; and I further declare he is the same individual who gave evidence before the Hon. Justice Smith in the case of the St. Albans raiders.

ALFRED PERRY.

Montreal, June 9, 1865.

CONOVER BEFORE THE MILITARY COMMISSION AGAIN.

FULL REPORT OF THE PROCEEDINGS ON TUESDAY.

WASHINGTON, Tuesday, June 27.

The Court met at 11 o'clock, when Judge-Advocate-General Holt, recalled Sanford Conover, *alias* J. W. Wallace, as a witness for the government. Gen. Holt said he held in his hand a volume containing the judicial proceedings in the case of the St. Albans raid, and asked the witness whether his evidence was therein truthfully reported. The witness said the testimony to which Gen. Holt has especially referred, was partly his, but associated with that of another person named Wallace.

Q.—Do you remember how many persons named Wallace gave testimony on that trial? A.—There were three so far as I know: William Pope Wallace, J. Watson Wallace and J. Wallace. What was read from the book just now was the report of the Montreal *Telegraph*, printed from the type of that newspaper. The report which appeared in the Montreal *Witness* was correct. This read as follows:

"James Watson Wallace said: I reside at present in this city, and have been here since October; I was formerly a resident of the Confederate States; I know James A. Seldon; he occupied the position of Secretary of War; I should say the signature to the papers, M, N and O, are those of the said Seddon; I have, on several occasions, seen the signatures of James A. Seldon, and have seen him on several occasions sign

his name; he has signed documents in my presence, and handed them to me after signing; I never belonged to the Confederate army, but have seen many commissions issued by the Confederate Government. The commission of L. Young, marked M, is in the usual form; the army commissions are always signed by the Secretary of War; I have never seen a commission with the name of the President, or with the seal of the government; the Confederates, at the time I left the country, had no seal; one had been designed but not prepared."

The witness remarked the above was substantially what he did say. It was clipped either from the Montreal *Witness* or the *Herald*.

Since an official copy of Wallace's evidence in the St. Alban's case is produced in these pages, and convicts him of perjury, his stories about the newspaper reports, whether true or false, are not very important. But in fact the *Witness* had no report of his evidence, except that "it went to prove the genuineness of the paper so often referred to," &c. And the report in the *Herald* was the same as in the printed book, as appears from a copy in the subsequent pages. The report produced by Conover must have been written by himself for the exclusive use of the military commission. (pp. 17 and 21.)

Q.—State whether after you gave your testimony in this court, you visited Montreal? A.—I left here perhaps the same day.

Q.—Whom did you meet there of those spoken of as refugees? A.—I met Tucker, Carroll, Dr. Patton, Ex. Gov. Wescott, George Sanders, Lewis Sanders, his son and a number of others. I had a free conversation with some of them, especially with Tucker and Sanders.

Q.—What did Tucker say, so far as the purpose of those men were concerned? A.—They had not the slightest idea that I had testified before this commission, and received me with great cordiality. The subject of this trial was generally discussed. Tucker, after denouncing Stanton and President Johnson as great scoundrels, spoke of Judge Holt as a blood-thirsty old villain. He said they must protect themselves by a guard at present. But, by the Eternal, a day of reckoning would come; then they would have a heavy account to settle. Sanders did not make such violent threats as Tucker did. William B. Cleary, whom he also met, made similar violent threats. He said Beale would have been pardoned by the President had it not been for Judge Holt. He also said blood should follow blood. He reminded me of what he has formerly remarked of President Lincoln, that retributive justice had come, and the assassination of the President was the beginning of it.

It is proved by the affidavit of Mrs. Inglis with whom he boarded at Toronto that Cleary was not in Montreal while Conover (or Wallace) was there in June. (p. 21.)

Q.—After giving your testimony did you not go to Canada for me? A.—I did, to get a certified copy of the report at Montreal. I met the conspirators. I had not been there long when they discovered that my testimony had been published. I received a message from Sanders, Tucker, Carroll and O'Donnell, a Virginian, sometimes called McDonnell. The man who boasted of setting fire to houses in New York? A.—He so boasted; I went into a saloon to wait until the public offices were opened; while sitting there, in about ten minutes a dozen rebels surrounded me; they accused me of having betrayed their secrets; not knowing at the time that my testimony had ever been published, I denied it; they said if I would give them a letter to that effect, it would be well; just as I was about to get away, Beverly Tucker came in; he said a mere letter would not do, because I had testified before the court—therefore I must give some paper under oath to make my denial sufficiently strong; about a dozen of these men assailed me in a furious manner; O'Donnell took out his pistol, and said unless I did so I should never leave the room alive; at last Sanders said, "Wallace, you see what kind of hands you are in;" I at length consented; it was understood that I was to prepare the paper in my own way; I intended, however, not to prepare the paper, but to escape from them at the most convenient opportunity; they insisted they must go to O'Donnell's room, and I was forced to comply; Mr. Kerr, who had defended the St. Albans raiders, was then sent for to prepare the paper; two of Morgan's men were there; a pistol was again

drawn on me; Kerr came; the affidavit was prepared, and I signed it, and went through the ceremony of an oath.

If Judge Holt had a certified copy he knew his witness was then perjuring himself.

Q.—Did you know that Kerr had knowledge of these menaces? A.—It must have so appeared to him, as Tucker said if I did not sign the paper I should never leave the town alive, and that they would follow me to hell.

Kerr swears that no force or threats were used, but Wallace seemed anxious to make the affidavit. Alfred Perry certified that Wallace gave it of his own free will. There was an obvious reason why this man (who went to Montreal while his testimony before the military commission was secret and found himself there when it was unexpectedly divulged) should hasten to satisfy Southern men by a lie, and he seems never to have hesitated to clinch a lie with a perjury. (pp. 18 and 22.)

Q.—Did that paper appear in the *Telegraph*, and was it afterwards copied into the New York *World*? A.—It did.

The paper was read. It appeared in the Montreal *Evening Telegraph*, of June 10, and is to the effect that if President Johnson will send him, James W. Wallace, a safe conduct to go to Washington and return to Montreal, he would proceed thither and go before the military court, in order that they may see whether he was the same Sanford Conover who swore as stated. This is dated June 8, 1865, and signed James W. Wallace. To this the affidavit before referred to, is appended, viz: "I am the same James W. Wallace who gave evidence on the subject of the St. Albans raid, which evidence appeared on page 213 of the printed report of the case. I am a native of the County of Loudon, Virginia; I resided in Montreal in October. I have seen and examined the report of what is called the suppressed evidence before the court-martial, now being holden at Washington, on Mistress Surratt, Payne and others, and I have looked carefully through the report of the evidence, in the New York papers, of a person calling himself Sanford Conover, who referred to the fact that while in Montreal, he went by the name of James Watson Wallace [illegible] evidence in the St. Albans raid investigation; that said Sanford Conover personated me before the said court-martial; that I never gave any testimony before the said court-martial at Washington City; that I never had knowledge of John Wilkes Booth, excepting seeing him on the stage, and did not [illegible] was in Montreal until I saw it published after the murder of President Lincoln; that I never was a correspondent of the New York *Tribune;* that I never went under the name of Sanford Conover; that I never had any confidential communication with Geo. N. Sanders, Beverly Tucker, Hon. Jacob Thompson, Gen. Carroll, of Tennessee, [illegible] N. Patton, or any of the others therein mentioned; that my acquaintance with every one of these, gentlemen was slight, and, in fine, I have no hesitation in saying that the evidence of the said Sanford Conover personating me is false, untrue in fact, and is from beginning to end a tissue of falsehood. I have made this deposition voluntarily and in justice to my own character and name. (Signed,)

J. WATSON WALLACE."

This was sworn to before G. Smith, J.P., at Montreal on June 8. Alfred Perry certified that Wallace subscribed to the paper of his own free-will, &c.

By Judge Holt—I understand this is the paper sworn and subscribed to and by you under the circumstances which you have detailed, with pistols presented at your face, the statements in this paper are false.

A.—Yes, Sir, I never heard of Alfred Perry who said I swore to it voluntarily. The advertisement appended to the deposition, which is as follows, was also induced by the same threats:

"Four hundred dollars reward will be given for the arrest, so that I can bring to punishment in Canada the infamous and perjured scoundrel who recently personated

me under the name of [redacted] Conover, and deposed to a tissue of falsehoods before the military commission at Washington. (Signed,)

JAMES W. WALLACE."

Q.—You have stated that you were never in the Confederate army; what did you mean by that statement? A.—I never served as a soldier. After I was conscripted, I was detailed as a clerk in the rebel War Department.

Re-direct by Advocate—Q.—Was any attempt made by those men to detain you in Canada? A.—I believe so; by friends of theirs, and I was relieved through the influence of Gen. Dix.

AFFIDAVIT OF JANE INGLIS.

PROVINCE OF CANADA, City of Toronto, to wit:

I, *Jane* Inglis, of Number Seventy-one Bay Street, in the City of Toronto aforesaid, make oath and say:—

1. That I know W. W. Cleary.

2. That the said W. W. Cleary, with his wife and children, boarded with me at my house above-mentioned, from the thirty-first day of May last until the fourteenth day of June last past.

3. That the said W. W. Cleary was at my house every day during the same time, and I further say that he did not go to Montreal during that period.

JANE INGLIS.

Sworn before me, at the said City of Toronto, this 17th day of August, A.D. 1865.

JAS. J. VANCE, J.P.

From the Montreal Herald.

The following is the *Herald's* report of Wallace's testimony in the St. Albans case:—

James Watson Wallace, sworn—I am a native of the State of Virginia, one of the Confederate States of America; I resided in Jefferson County. I left there in October last; I know James A. Seddon, Secretary of War of the Confederate States. (Examined the papers.) I should say from my knowledge of his handwriting that the signatures are genuine. I have seen him on several occasions write and sign his name. [redacted] has signed his name to documents and handed them to me. I have not been in the Confederate army. I was commissioned as major to raise a battalion. I have seen a number of commissions issued by the Confederate Government. The commission of Lieutenant Young is in the usual form issued in the army, and is signed by the Secretary of War. Owing to an accident incapacitating me for service I have not served in the army, and before my recovery I was kidnapped by the Yankees. I was in Richmond in September last; I then visited the War Department. It was notorious that the war was to be carried into New England in the same way that it was carried on in Virginia. The officials there said, "New England will be made to howl." I lived in Virginia on my own property and in my own house until it was burned and my family turned out of doors, by Northern soldiers.

Objected to.

Judge Smith said he had ruled that evidence of this character was not admissible. If the defence can show hereafter that they have a right to go into evidence of this nature they will be heard upon it.

Daily Witness, February 15, 1865.—Cut from fyle in *Witness* office.

J. MORLEY RYAN,
Witness Office Clerk.

James Watson Wallace, sworn.—The testimony of this witness went to prove the genuineness of the papers already so often referred to, and containing the commission, directions, &c., to the prisoner Young.

The counsel for the United States, however, objected—as they had often done before—to the whole as illegal, irrelevant, and foreign to the issue in this case, and, consequently, declined to cross-examine.

AFFIDAVIT OF WILLIAM HASTINGS KERR.

PROVINCE OF CANADA,
District of Montreal.

William Hastings Kerr, of the city and district of Montreal, Esquire, Advocate, being duly sworn, doth depose and swear that he knows James Watson Wallace, late of Virginia, but now and for the last seven months resident in the city of Montreal, counsellor at law; that he, this deponent, was one of the counsel engaged for the defence in the affair of the investigation before the Honorable Judge Smith into the St. Albans raid; that he was present in Court and examined the said James Watson Wallace whilst the said investigation was going on (a report of whose testimony appears at page 212 of the printed case, published by John Lovell, of the said city of Montreal;) that this deponent has frequently seen the said James Watson Wallace on private business, and has acted as the said James Watson Wallace's professional adviser in Montreal; that this deponent yesterday saw the said James Watson Wallace in the said city of Montreal; that he was present whilst the said James Watson Wallace denied that he, the said James Watson Wallace, was the person who, under the name of Sandford Conover, gave before the Military Commission or Court Martial, now and for some time past assembled at Washington, evidence which has since been published as the suppressed evidence in the New York papers. He, the said James Watson Wallace, then and there declaring that some person had personated him, the said James Watson Wallace, and had given testimony which, from beginning to end, was a tissue of falsehoods; that this deponent was present whilst the statements and denials of the said James Watson Wallace were reduced to writing in his presence, and signed by the said James Watson Wallace, and sworn to by him before G. Smith, Esquire, one of Her Majesty's Justices of the Peace; that the said James Watson Wallace then and there declared that he made the said affidavit voluntarily and in order to clear himself from any suspicion of being the Sandford Conover in question. And this deponent saith that no force or violence was used towards the said James Watson Wallace, nor were any menaces or threats made use of towards him by any one, but he seemed to be anxious to make the said affidavit, and to use all means in his power to discover the person who had so personated him, the said James Watson Wallace, before the Military Commission; and further this deponent saith not, and hath signed.

WILLIAM H. KERR.

Sworn before me at Montreal, this ninth day of June, eighteen hundred and sixty-five.

JAMES SMITH, J.S.C.

AFFIDAVIT OF JOHN CAMERON.

PROVINCE OF CANADA,
District of Montreal. } City of Montreal, Set.

I, John Cameron, being duly sworn on the Holy Evangelists, do, on my solemn oath, depose and say:—I am about twenty-three years of age. I am a native of Kemptville, Canada West, and am now, and have been for some time, a resident of Montreal. During the year 1864, I went into the so-called Southern Confederacy from Canada by sea, and returned here by land, about the middle of February last. I went on my own private affairs, amongst which was to ascertain the practicability of running medicines into the Southern States. I sympathised strongly with the Confederate cause. I have read what purports to be a synopsis of testimony said to have been given by a person calling himself Sandford Conover before the Military Commission at Washington City for the trial of Harold, Atzerot, Payne, and others, respecting the killing of President Lincoln, which is published in the New York papers of the 5th of June instant; and, likewise, what purports to be a full report of said testimony, contained in the same newspapers of the 6th and 7th of June, instant. I have noticed that in the said testimony it is stated that said Sandford Conover passed in Montreal by the name of James Watson Wallace. I know James Watson Wallace, who has made an affidavit denying that said testimony is true, and deposing that some person hath personated him, and that said pretended testimony is false and forged. I am satisfied that the Wallace who made said affidavit is the same James Watson Wallace who gave his evidence before the Hon. Judge Smith in the St. Albans raiders' trial,

as he states. He told me in February, March, and April, he gave his evidence in the raiders' case. My attention has been directed to various allegations contained in the testimony of Sandford Conover, respecting Hon. Jacob Thompson, Hon. Clement C. Clay, George N. Sanders, Esq., Colonel Beverly Tucker, William W. Cleary, Esq., John Porterfield, Esq., General Carroll, Doctor Montrose, A. Pallen, Commodore Magruder, Doctor Blackburn, J. W. Booth, and others, and especially to that part relating to myself. I declare that so far as I know and believe, the entire statement made by said person, who hath so falsely assumed [as I believe] the name of Conover, is an utterly untrue and malicious fabrication from the beginning to the end, and that I have no doubt said person was bribed and suborned to make it, or else made it under threats, compulsion and terror. So far as relates to what is said to have been sworn to by said person calling himself Conover, I have to say that I cannot truthfully state anything tending directly or indirectly to implicate any of the persons named in said deposition, or any others, in burning any Northern cities or towns, or kidnapping or killing anybody, or poisoning any reservoirs or water works, or spreading any infectious or contagious disease. I never heard of J. W. Booth till after Mr. Lincoln's death, and I do not believe any person in Canada was concerned in or had any knowledge that Booth intended anything of the kind. I have heard at different times several of the Southern gentlemen referred to and above named speak on different topics, but I never heard anything or saw anything to justify the slightest suspicion of any one of them being concerned in or of having any knowledge of the burning of cities or towns, or poisoning cisterns or reservoirs, or kidnapping or killing anybody, or introducing infectious or contagious diseases, and I never told Conover or Wallace, nor any one else, that I was to get some compensation for aiding, abetting, or assisting in any such infamous deeds, or anything of like character. At different times in February, March, and the first part of April last, I heard Confederates, refugees in Canada—escaped prisoners of war—allude to the practicability of expeditions being made upon towns on the Yankee side of the lakes, and of the St. Lawrence river, and I agreed with those who thought such expeditions feasible, and especially as to an attack on Ogdensburg. I never heard Mr. Thompson, Mr. Clay, Mr. Sanders, Gen. Carroll, Doctor Pallen, Doctor Blackburn, or Commodore Magruder, say anything on such subjects. It was understood that Mr. Thompson and Mr. Clay had something to do with the raids on Lake Erie and at St. Albans, as agents of the Confederacy; but it was notorious that the others above named, and many other Southerners here were opposed to and discountenanced all such raids. I heard several of them express such sentiments after I returned home. I do not conceal that I favored some of the raids talked about, and was willing to join them. I carried a letter to Mr. Thompson, some time in March, I believe, from a person whose name I decline to state, suggesting the destruction of some water works of a Northern city. After Mr. Thompson had read the letter, he asked me if I knew the contents of it, and when I said yes, he replied: "Is the man mad; is he a fool?" and he tabooed the proposition. I further state that when I went South in September, in 1864, Dr. Blackburn was not in company with me at any time on the voyage. I never was in Bermuda. I never heard the Doctor say anything about yellow fever; never was employed by him or any one else to introduce infected clothing, as Conover is made to state. That I was not in Canada in January, 1865, when Conover says I was so employed; and that the whole statement by Conover in reference to myself and yellow fever and Dr. Blackburn is an infamous fabrication and falsehood. I further state that in February, 1865, an acquaintance who claimed to be a Confederate, took me into room No. 4, St. Lawrence Hall, to introduce me to an elderly gentleman, who he stated was the counsel from the States for the St. Albans raiders, and while there, allusion was made by my acquaintance to raids, and I believe to one talked of on Ogdensburg, when the gentleman to whom I was introduced appeared to get out of temper, and used harsh language to my acquaintance, swearing quite hard, and saying he did not want to hear about such matters, and that if made known to him he would inform the Canadian authorities, or something to that effect. I recollect afterwards, as we retired, observing he was quite crusty, and not very polite. I have not concealed anything respecting myself at any time, and I have been approached by several persons to worm something out of me to the prejudice of some of the gentlemen I have mentioned, and I have heard of mis-representations of what I have said in respect to them. Consul General Potter and Mr. Bernard Devlin, lawyer for the United States in this city, have both sought to get me to go to Washington City to give testimony before the Military Court Martial there, but I refused because I knew

nothing of the slightest relevancy or consequence to the cases on trial there. I have heard that it has been reported that I did go to Washington city, or that I did give some testimony in this city to be used before the Military Court at Washington, but both reports are unfounded. I suppose some base man has gathered a batch of suspicions and conjectures and rumors and reports and hearsay and gossip of streets and groggeries and gone off to Washington and assumed the false name of Sanford Conover, and made oath to such budget, and sold such testimony to the prosecutors in that case. I have heard some of the trash contained in Sanford Conover's testimony in circulation here, some of which as well as projects of raids and the like, I was satisfied was manufactured and put afloat by Yankee detectives to make their employers think they were doing great things.

JOHN CAMERON, Jr.

Sworn and subscribed before me this ninth day of June, 1865.

J. SMITH, J.S.C.

EXTRACTS FROM CARD OF GENERAL CARROLL.

It will be seen that Conover testifies that I was present in January last, and on the 6th, 7th, 8th and 9th of April past, when the plot to assassinate President Lincoln and Cabinet, and other infamous plans were discussed by the pretended "Confederate organization." The appended certificates of Dr. McDonnell, one of the most eminent physicians of this city, and of Mr. Huntington, will show the utter falsity of this statement:

MONTREAL, June 22, 1865.

I certify that General Carroll was confined to his bed in consequence of a very painful disease, from April 5th to April 15th 1865, and that he was under my professional care for the said disease.

R. A. MACDONELL, M.D.

MONTREAL, June 23rd, 1865.

I hereby certify that I boarded at the same house in this city with Gen. Wm. H. Carroll, in the month of April last, and that from about the first to the fifteenth of that month he was confined to his bed by sickness, and was under the medical treatment of Doctor MacDonnell.

A. S. HUNTINGTON.

From the extracts above taken from the published testimony of Sandford Conover, it will be seen that the first meeting of the "junta," at which the poisoning of the Croton reservoirs was discussed—I being present—was in the month of January last. On the last day of Nov., 1864, I left this city for Halifax, N. S. On the 13th of Dec., following, I sailed on the Alpha for St. George's, Bermuda. On the 14th of January I left that port on the steamer Charlotte, and was captured by the U. S. naval forces at Wilmington, N.C., on the 19th of the same month—sent to Fortress Monroe on the U. S. Steamer A. D. Vance, Lieut. Upshur commanding. At Norfolk, Va., on the 29th of January, Lieut. Upshur administered to me the parole oath and released me as a prisoner. I returned to this city on the 5th of February. The record of my examination on fyle at the Navy Department, at Washington, will show that I truthfully answered every question.

These facts show the falsity of Conover's testimony, that I was present in Montreal in January, when the pretended idiotic scheme to poison the Croton reservoirs was said to have been planned and discussed. Again, he is specific in stating that on the 6th, 7th, 8th or 9th of April last, I was present, when the alleged consultations were held in relation to the infamous propositions to murder President Lincoln, Vice-President Johnson, and the members of the Cabinet—the poisoning of the Croton reservoirs—the blowing up of the dam, and the Ogdensburg raid. The certificates of Dr. MacDonnell and Mr. Huntington—to which a number of others could be added—prove the utter untruth of this statement. On one of these days, I am made to say that if no one else could be found, I would kill Vice-President Johnson myself. I can establish by numerous witnesses that neither before, nor since the publication of the article signed Dextra, have I uttered any expression at variance with my then written opinion in relation to the character and ability of President Johnson. The facile ease with which this infamous wretch Conover commits perjury is only

equalled by the fertility of his brain in conceiving diabolical plots and involving innocent people in them.

AFFIDAVITS OF CAPT. McGRUDER, DR. PALLEN, AND GEN. CARROLL.

PROVINCE OF CANADA, District of Montreal, } to wit, 1865. }

George A. Magruder, late captain in the navy of the United States, and chief of the Bureau of Ordnance and Hydrography, now residing in the city of Montreal, in the said Province, having been duly sworn upon the Holy Evangelists of Almighty God, doth depose and say: That having read the evidence or testimony of one Sanford Conover, alias James Watson Wallace, as reported in the public papers to have been given by him, and taken before the Military Commission now sitting at Washington, D.C., in the said United States, in which he declares that, with others named by said Conover, alias Wallace, he was "intimately acquainted" with me. This I assert to be absolutely false and untrue. Further, I declare never to have seen this person to my knowledge, nor have I ever heard his name, or assumed name, before my attention was drawn to it by his testimony which appears in the public prints. I did not even know before that such a person as said Conover or Wallace existed. And I further solemnly swear that I have never been connected, directly or indirectly, with the Confederate Government, or with their authorities, civil or military. I have never known, nor have I in any way been privy to the plans, acts, or deeds of that government, or with any Confederate Commissioner, or other person or persons whomsoever, adverse to, or in any manner hostile to the government and people of the United States; neither am I now, nor have I ever been, a secessionist.

(Signed) G. A. MAGRUDER.

Sworn to and subscribed before me at the U. S. Consulate General, in Montreal, this sixteenth day of June, A.D. 1865.

(Signed) JOHN F. POTTER,
U. S. Consul General, B.N.A.P.

PROVINCE OF CANADA, } District of Montreal. }

I, Montrose A. Pallen, a resident of the city of Montreal, a native of the United States, being duly sworn upon the Holy Evangelists, before Almighty God, depose and say—I have read the testimony given by one Sandford Conover, *alias* James Watson Wallace, and do solemnly swear that, in as far as concerns myself in connection with a conversation or meeting purporting to have been held in the St. Lawrence Hall in Montreal, or other places, between and with Jacob Thompson, Lewis Sanders, Dr. Blackburn, W. W. Cleary, and others, the testimony of said Conover is false. Deponent further saith that he never was in a room with Jacob Thompson, W. W. Cleary and Dr. Blackburn together; that he never heard of or knew aught concerning any raids, conspiracies, burnings, kidnappings, poisonings, or anything whatever contrary to the dignity and peace of the United States, attributed to the agency or counsel of Jacob Thompson, C. C. Clay, or any one whomsoever, either accredited or presumed agents or commissioners from the Confederate Government, except after such had appeared in the public prints. Deponent further declares that he never knew of or heard of a plot to destroy the Croton Dam, and to poison reservoirs, until he read it in the testimony of Sandford Conover. Furthermore, deponent saith that he never saw or spoke to Sandford Conover, *alias* James Watson Wallace; or if he did, he had no knowledge of said Conover at the time, and bears no recollection of him now.

MONTROSE A. PALLEN, M.D.

Sworn and subscribed to before me at Montreal, this ninth day of June, one thousand eight hundred and sixty-five.

JAMES SMITH, C.L.C.

PROVINCE OF CANADA, DISTRICT OF MONTREAL,
City of Montreal, June 18th, 1865.

I, Wm. H. Carroll, of the City of Memphis, State of Tennessee, now of the City of Montreal, depose and state that I have carefully examined the testimony of Sandford Conover alias James Watson Wallace, as reported in the New York papers, purporting to have been given during the secret session of the Court Martial now sitting on the trial of Mrs. Surratt, Payne and others, for complicity in the murder of President Lincoln at Washington City. That I never had any conversation or communication with Messrs. Thompson, Sanders, Tucker, Cleary, and others mentioned therein, or any person else, in relation to the murder of President Lincoln and Cabinet, nor in relation to any plan to poison reservoirs, blow up the Croton dams, the St. Albans Raid, or Ogdensburgh Raid, nor did I ever hear any person speak of or intimate anything about a conspiracy to carry out either purpose above mentioned. Nor did I ever hear, much less use, the vulgar expression in relation to President Johnson attributed to me. On the contrary, I have invariably defended him against abusive attacks made by others, as he was an old acquaintance of the same political party, a fellow-citizen of the same state, and I knew him well. In proof of this I append an article I wrote and published the last part of April in the *Evening Telegraph* of this city. Another Southern gentleman, who served several years in Congress with President Johnson, agreed with me and wrote a favorable biographical notice of his life and character for publication, but withheld it on the receipt of the New York papers, a day or two afterwards.

WM. H. CARROLL.

John Helder Isaacson, J.P.

SAFE CONDUCT.

DETROIT, 28th April, 1865.

A safe conduct is granted W. W. Cleary to visit Detroit and return to Canada for the purpose of holding an interview with H. H. Emmons, Esq., agent of that department.

This safe guard to expire at 7 o'clock p.m., on the 29th instant.

B. H. HILL,
Lt. Col. U. S. A. Commanding.

AFFIDAVIT OF M. LEMARQUIS.

PROVINCE OF CANADA, Lower Canada,
to wit: District of Kamouraska.

Stephen E. A. LeMarquis, of the Village of Fraserville, in the parish of River du Loup, in the County of Temiscouata in the District of Kamouraska, General Agent, being duly sworn on the Holy Evangelists, doth depose and say, as follows: viz.; that on or about the eleventh day of April last Colonel Jacob Thompson and W. W. Cleary registered their names in a book kept for that purpose in "La Rochelle's Hotel" in the village of Fraserville aforesaid, and that both remained there until the twenty-third of the same month.

That on or about the said twenty-third day of April, the said W. W. Cleary left for Upper Canada, and that the said Colonel Jacob Thompson remained at the said "La Rochelle Hotel" until the last day of April or thereabouts, and afterwards left for Halifax, Nova Scotia.

That during their stay at the said Hotel I had daily interviews with the said Colonel Jacob Thompson and the said W. W. Cleary.

That on the day following that of the assassination of the late Abraham Lincoln, President of the United States, I and another gentleman of this place called on the said Colonel Jacob Thompson and the said W. W. Cleary, and communicated to them the intelligence of the assassination of the late President of the United States, and the attempt on Mr. Seward; and both Colonel Jacob Thompson and W. W. Cleary, on hearing the news, expressed their regret and regarded it as a great calamity; giving vent to their regret by repeating several times the words "*too bad, too bad*," and further, deponent saith not, and hath signed.

S. E. A. LEMARQUIS.

Sworn before me, Commissioner appointed on the Superior Court to take affidavits, at the village of Fraserville aforesaid, this fifteenth day of July one thousand eight hundred and sixty-five.

J. B. St. CHAMBERLAND, U.S.C.

AFFIDAVIT OF M. LaROCHELLE.

PROVINCE OF CANADA, LOWER CANADA,
District of Kamouraska.

Pierre Eugene LaRochelle, Esquire, of the Village of Fraserville, in the parish of Riviére du Loup, in the County of Temiscouata, in the district of Kamouraska, aforesaid, gentleman, being duly sworn on the Holy Evangelists, doth depose and say as follows: that is to say; That on the eleventh day of April last (1865) Colonel Jacob Thompson and W. W. Cleary took lodging, as boarders, in his house, known as the "Larochelle's Hotel," in the village of Fraserville aforesaid, kept by him, the deponent, and registered their names in a book kept for that purpose, and that both gentlemen remained with him until the twenty third day of same month.

That on or about the said twenty-third day of April the said W. W. Cleary left for Upper Canada, and that the said Colonel Jacob Thompson remained in the said "Larochelle's Hotel," with him the deponent, until the last day of April last or thereabouts, and then left for Halifax, Nova Scotia.

That during their stay at the said Hotel he, the deponent, was in constant communication with the said Colonel Jacob Thompson and the said W. W. Cleary, who did not absent themselves from the said village during the period above mentioned.

That on the day following that of the assassination of the late Abraham Lincoln, President of the United States, he, the deponent, was present, when two gentlemen, of said village of Fraserville, S. E. A. LeMarquis and L. G. Casault, Esquires, communicated, in the said Hotel, to the said Colonel Jacob Thompson and W. W. Cleary the intelligence of the assassination of the late President of the United States and the attempt on Mr. Seward, and that both Colonel Jacob Thompson and W. W. Cleary, on hearing the news, expressed their regret and regarded it as a great calamity, giving vent to their regret by repeating several times the words "*too bad, too bad!*" and further, deponent said not, and hath signed.

EUG. LaROCHELLE, C.M.

Sworn before me, Commissioner appointed by the Superior Court to take affidavits, at the village of Fraserville aforesaid, this fifteenth day of July, one thousand eight hundred and sixty-five.

J. B. St. CHAMBERLAND, U.S.C.

LETTER TO JACOB THOMPSON.

The following letter from Wallace (alias Conover, alias Denham) appears on its face to have been sent to Col. Jacob Thompson by the hand of Mr. Cameron. Before the letter was public Mr. Cameron made an affidavit in which he alluded to the letter without naming the author. He swears that when the letter was read by Col. Thompson, he exclaimed, "is the man mad? is he a fool?"

MONTREAL, March 20, 1865.

COL. THOMPSON,

SIR,—Believing you to be an officer, or agent, of the Confederate government, authorized to direct enterprises of a warlike character, I beg leave to submit to your consideration a project which, if executed, will give our enemies a bitter taste of war at their own homes, and inflict damages which can only be computed by millions.

Although I have not the pleasure of your acquaintance, you will probably remember me as a witness in behalf of the raiders to prove the genuineness of Lieutenant Young's commission, &c.

Mr. Cameron, the bearer hereof, will explain to you the reason of my addressing you in writing instead of seeking a personal interview.

The project in question involves the destruction of the Croton Dam, whereby the City of New York is supplied with water.

This dam is situated forty one miles from the city, and sends through an aqueduct about 30,000,000 gallons daily, and is capable of sending, as the aqueduct is of containing, twice that amount. The receiving and distributing reservoirs, at the city, never contain more than a supply for two or two and a-half days.

Destroy this Dam and we deprive the city of its sole source of supply of water. The foundries and factories engaged in the manufacture of munitions of war and army supplies, being dependent on the Croton for steam and other purposes, must necessarily suspend operations. Steamboats and railroad locomotives, likewise dependent, to a great extent, on this water, will be greatly embarrassed in their movements, and will be obliged, at a great cost of time, money and labor, to seek a supply elsewhere. The engines daily and nightly called into requisition to suppress fires would become useless, and the best parts of the town, without the aid of incendiaries, would soon fall a prey to conflagration. Water in New York would soon become as scarce and expensive as whiskey in Richmond. Thousands of poor devils who will otherwise be sent to the Yankee armies will be required to reconstruct the Dam—a work which it will require six months, and cost upwards of $5,000,000, to complete.

But this is not all. The Dam which is seven miles above the mouth of the river, holds back 500,000,000. Below it are several extensive rolling-mills, foundries, manufactories and and bridges, including the great bridge of the Hudson River Railroad. By the sudden destruction of the Dam all these works would be swept away. In 1841, when the Dam was less than half finished, the pressure of the water forced it away, and all the houses, mills, and manufactories below were swept off, together with many persons, and a great number of cattle and swine. Let the waters loose at the present time and the destruction will be thrice as great. The people of the empire state by visiting the banks of the Croton would receive some conception of the devastation their mercenaries have spread along the banks of the Shenandoah.

This scheme is not only practicable but may be executed with very little trouble and expense. One of my aunts, a Virginia lady, and an enemy to everything Yankee owns the land upon which the Dam is built, and her residence and out-buildings are only a few rods from the abutments of the work. This will afford you some idea of the facilities we can command to accomplish our object. The necessary men for the business are already engaged.

I do not deem it necessary at present to enter into the details of our plans; but if you entertain our proposition, I shall take pleasure in laying them before you in minutiæ, and of giving you an estimate of the sum requisite for their execution.

Respectfully your Ob't Servant,

J. WATSON WALLACE.

P. S.—If it would be preferable to you or our government, the matter of destruction can be effected in such a way as to appear entirely accidental.

J. W. W.

On the 30th day of June, A. D. 1865, W. W. Cleary exhibited to me the within letter, and desired to know my opinion as to the hand-writing. I have no hesitation in saying that it is the hand-writing of J. Watson Wallace, alias Sandford Conover.

JOHN F. POTTER,

Montreal, June 30, 1865. U. S. Consul Gen'l, B.N.A.P.

See affidavits of Book-keepers of St. Lawrence Hall, at Montreal, and Queen's Hotel, Toronto, (printed with Montgomery's testimony) showing that Thompson and Cleary were not in Montreal, as sworn to by Conover.

SANDFORD CONOVER.

From the New York Daily News, Friday, July 7, 1864.

Charles A. Dunham, alias James Watson Wallace, alias Sandford Conover, whose testimony before the Washington Court Martial has created no little discussion, was born in Croton, a small town on the Hudson, about the year 1830. His father was a tanner, and, in early life, Dunham worked at the same business. The family was one of respectability and wealth. Dunham remained with his father until he was about twenty, when he came to this city and studied law with the firm of VanAntvoord & Jameson. This was about twelve years ago. Not succeeding as a lawyer, Dunham removed to his native town, and went into the brick business, in partnership with Nathan Anser. This was ten years ago. Previous to this time he had married a sis-

ter of Anser (who swears before the court martial that he has known Dunham (Conover) eight years), and we have the most undoubted authority for saying he (Anser) has been intimately acquainted with Conover (Dunham) since the boyhood of the latter. Upon the breaking out of the war, Dunham started to raise a regiment in this city, of which fictitious regiment Anser was to have been quartermaster. Soon after the *fiasco* of his military career, Dunham left the city, greatly to the misfortune of his patient creditors, and was next heard from by letter to his brother-in-law, who resided in this city. In that letter he stated that he was in Western New York, recruiting for the Confederate service. This was about the time of the draft riots. Subsequently the letter was submitted to General Butler, who promised to take the matter in hand. Nothing further was, however, heard from it, and Dunham was left to pursue the even tenor of his way without molestation. Some time after he became Canadian correspondent for one of our daily journals, under the alias of Sanford Conover; and his subsequent career under the alias of Sanford Conover and James Watson Wallace is tolerably well known to the public.

TESTIMONY OF JAS. B. MERRITT.

The following is the evidence of J. B. Merritt, who professes to have acted as a volunteer spy on the Southerners, under the guise of a physician, practising chiefly among Southerners and professing himself to be a good Southern man, and "their friend" in order "to get all the information he could from them." As might be inferred from his own statement, he is an infamous character, and that is fully proved in affidavits which follow his testimony. So much perjury in a single deposition was probably never before so conclusively exposed by disinterested proofs.

Jas. B. Merritt, a witness called for the prosecution, being duly sworn, testified as follows:

By the Judge-Advocate.—Q.—Of what State are you a native? A.—I do not know whether I am a native of New York or Canada, but have hailed always from New York.

Q.—What is your profession? A.—Physician.

Q.—Have you been residing, or not, for some time in Canada, and if so, in what part of Canada? A.—I have been in Canada about a year, part of the time at Windsor and part of the time at North Dumfries, Waterloo County.

The character which the witness established for himself in Canada will appear from the statements of F. A. St. Lawrence, Esq., and of Messrs. Watson, Kilgour, and Wyllie, and the affidavits of James Frazer, Daniel Hibler, Thomas Perkins, Robert Rae, George Gilkes and of numerous witnesses presently to be cited for their direct contradictions of his testimony. Several of them say they would not believe him on oath. (pp. 39, 42, 45 and 46.)

Q.—Were you, or not, in the month of October or November last, in Toronto, Canada? A.—I was.

Q.—State whether you met there a man by the name of Young? A.—I met George Young there.

Q.—Did Young profess to be from Kentucky? A.—I believe that he did; I believe he was formerly of Morgan's Command, Kentucky.

Q.—Did you meet a man named Ford, of Kentucky, a deserter? A.—Yes, sir.

Q.—Did you meet a man named Groves, from Louisville? A.—Yes, sir.

Q.—Did you have any conversation with Young in regard to public affairs of that time? A.—Yes, sir, some.

Q.—Will you state what he said to you, if anything in regard to some very important matter being on the tapis in the interest of the rebellion? A.—He asked me if I had seen Colonel Steele before I left Windsor.

Q.—Who was Colonel Steele? A.—Colonel Steele is, I believe, a Kentuckian; what his given name is I don't know.

Q.—Was he a rebel in the rebel service? A.—He had been, as I understand, a rebel in the service.

Q.—Proceed with what Young told you? A.—He asked me if Col. Steele had said anything to me in relation to the Presidential election. I told him that he had not; then he said: "We have something on the tapis of much more importance than any raid we have made, or can make," or something of that character.

Q.—Did he proceed to state what it was? A.—I asked him what it was. He said it was determined that Old Abe should never be inaugurated. I so understood it right, that was his expression. I asked him how he knew. He said that he knew he would not be inaugurated. They had plenty of friends, I think he said in Washington. He spoke in relation to Mr. Lincoln, and used some ungentlemanly terms, called him a d—d old tyrant, or something like that.

Q.—That was Young? A.—Yes, sir.

Q.—Did you afterward see Steele and Sanders together? A.—Yes, sir.

Q.—Do you mean George N. Sanders? A.—I do. I was introduced to George N. Sanders by Col. Steele.

Q.—Will you state what, if anything, was said in relation to the same matter by either of them on that occasion? A.—I asked Col. Steele what was going to be done, or how he liked the prospects of the Presidential election; Col. Steele's expression was, "The d—d old tyrant will serve another term if he is elected," George Sanders said "he would keep himself close if he did serve another term."

Q.—Did Sanders say that the same time that Steele said, "That d—d old tyrant never should serve another term? A.—Yes, Sir.

Q.—Were you afterward in Montreal in the month of February last? A.—I was.

Q.—Did you not hear among the rebels there the subject of the assassination of the President freely spoken of? A.—Yes, Sir.

Q.—Did you or not hear mentioned the names of the persons who were willing to assassinate him? A.—I heard Mr. Sanders name over a number of persons that were ready and willing, as he said, to engage in the undertaking to remove the President, Vice-President, cabinet and some of the leading Generals.

Q.—What, if anything, did George Sanders say in relation to their having plenty of money to accomplish those assassinations? A.—Sanders said their was any amount of money to accomplish the purpose. I think that was the expression used.

Q.—That was the assassination? A.—Yes, Sir. He read a letter which he said he had received from the President of the Confederacy.

Conover's story before the Military Commission was that the rebels at Montreal only wrote to Jeff. Davis in February to get his approbation of the assassination in project, and waited until April, when they got such a reply as Merritt said they had in February, and held about the same sort of a meeting over it.

Q.—Meaning Jeff. Davis? A.—Yes, Sir; which letter justified him in making any arrangements that he could to accomplish the object.

Q.—Was there not a meeting of those rebels at that time in Montreal where Sanders was, and where you were also? A.—Yes, Sir.

Q.—Was it at this meeting that Sanders read that letter from Jeff. Davis? A.—Yes, Sir.

Q.—Will you state some of the language of that letter, the strong language which he used, if the tyranny of Mr. Lincoln was submitted to? A.—I do not know as I can use the exact language.

Q.—The substance of it. A.—The letter was in substance that if the people in Canada, and the Southerners in the States, were willing to submit to be governed by such a tyrant as Lincoln, he did not wish to recognise them as friends or associates, or something like that.

Q.—And you say that in that letter he expressed his approbation of whatever measures they might take to accomplish that object? A.—Yes, Sir.

Q.—Was that letter read openly in this meeting by Sanders? A.—Yes, Sir.

Q.—After it was read, was it, or not, handed to the members of the meeting, and read by them one after another? A.—Col. Steele read it, I think; Capt. Scott read it, and Young and Hill.

At the time of this pretended meeting it is proved that Merritt, the witness, and Capt. Scott, Col. Steele and George Young were several hundred miles from Montreal, and they could not have been in that city during the month of February. As to Scott see the affidavits of P. S. Worthington, barrister at Windsor, and of Dr. C. B. Gilbert; as to Young the affidavit of Wm. Chapman, book-keeper of a hotel at Windsor; as to Col. Steele the affidavits and certificates of Annie M. Palmer, G. McMicken, magistrate, S. S. McDonell, Mayor of Windsor, and of Judge Leggatt and others; and as to Merritt himself the affidavits of Thos. M. Cook, Thomas Scott, Dr. Wm. Bell, Wm. Jackson, and the statements before cited. (pp. 43, 44 and 45.)

Q.—These were all known as rebels, were they not? A.—I believe they were.

Q.—Did they or not all acquiesce, after reading it, in the correctness with which Sanders had read it openly to the meeting? A.—There was no remark made as to any misstatement of the letter by Sanders.

Q.—As far as you could judge, did it seem to be the sense of that meeting that it was proper to have this object accomplished? A.—I did not hear any objection raised.

Q.—You said that was in the month of February; can you say at what time of the month that meeting was held? A.—I should think it was somewhere about the middle of February.

Thomas Scott swears that on the 15th as well as on the 10th, 11th and 18th of that month Merritt was attending Scott's wife in Ayr, several hundred miles from Montreal. Both Scott and Cook swear that on the 20th Merritt was attending a child of Cook's in the same village. (p. 41.)

Q.—By whom were you invited to attend the meeting? A.—Capt. Scott invited me to attend the meeting.

Q.—Was it on that occasion or on some other that Sanders named over the persons who were willing to accomplish the assassination? A.—At that time.

Q.—Will you state whether among the persons thus named John Wilkes Booth was mentioned? A.—Booth's name was mentioned; I do not remember that the John Wilkes was added to it.

Q.—Did you see Booth yourself in Canada? A.—Not then: I saw Booth in October, 1864.

Q.—Can you recall some other names that were mentioned besides Booth? A.—Yes, Sir; George Harper was one, Charles Cauldwell one, Randall and Harrison.

Q.—Did you hear that person Harrison spoken of by any other name? Did you hear the name Surratt mentioned? A.—I heard Surratt's name mentioned.

Q.—Do you know whether it was the same person or not? A.—I do not think it was.

Q.—His name is John Harrison Surratt? A.—Surratt's name was mentioned.

Q.—Did you see the prisoner Herrold in Canada at that time? A.—I say I saw Herrold; I saw the one who was called Harrison in Toronto.

Q.—Would you recognize him—look at these prisoners and see if you recognize him? A.—After looking at the prisoners I should think that third one on the bench there was the man, pointing to Herrold.

Q.—He was spoken of as one who was ready to accomplish assassination? A.—I understood Mr. Sanders to say he was ready to accomplish it, or assist in it; his

name was mentioned in connection with the others; he went there by the name of Harrison.

Q.—Look at the remainder of the prisoners, and see if you recognise any of them; do you remember to have seen the prisoner Payne in Canada? A.—I do not; I do not see any other that I should recognise as ever having met in Canada, except Herrold.

Q.—Did I understand you to say, that in the conversation occurring between these rebels and their friends, there was no reserve at all in discussing the question of the assassination of the President and his Cabinet? A.—I do not think you understood me correctly, if you understood me that there was no reserve; there was not a great amount of reserve.

Q.—It was discussed freely among themselves then? A.—Yes, sir.

Q.—Among the persons named was there not one who bore the nickname, probably it was, of Ping Tobacco? A.—I never saw him that I know of, but I heard the name.

Q.—Was he in this list that Sanders spoke of? A.—I am not positive whether Sanders used his name or not, but I think he did.

Q.—Do you remember that Sanders, in speaking of Booth as one who was willing to assassinate the President and Cabinet, mentioned as among the reasons for it that he was related to Beale, who had been recently hanged in New York? A.—He said Booth was heart and soul in the matter, and felt as much as any person could, for the reason that he was a cousin to Beale, who was hung in New York.

Q.—What did he say, if anything, in regard to the assassination of the Vice-President, now President of the United States? A.—He said that if they could dispose of Mr. Lincoln, it would be an easy matter to dispose of Mr. Johnson, as he was such a drunken sot, it would be an easy matter to dispose of him in some of his drunken revelries.

Q.—Did he say anything in regard to Mr. Seward, Secretary of State? A.—When he read the letter he spoke of Mr. Seward, and I inferred that that was partly the language of the letter; I think it was that if those parties, the President, the Vice-President and Cabinet, or Mr. Seward, could be disposed of, it would satisfy the people of the North, that they (the Southerners) had friends in the North, and that a peace could be obtained on better terms than it could otherwise be obtained; that they (the rebels) had endeavored to bring about a war between the United States and England, and that Mr. Seward, through his energy and sagacity, had thwarted all their efforts.

Q.—That was suggested as one of the reasons for getting rid of him? A.—Yes, Sir; for "removing" him.

Q.—At a later period, say early in April, did you meet any of these parties? A.—Yes, Sir.

Q.—State who they were and what conversation occurred between you and them? A.—I was in Toronto on Wednesday and Thursday, the 5th and 6th of April last, and in the evening of Wednesday I was on my way going to the theatre, when I met Harper and Ford. They asked me to go with them and spend the evening, and I declined, as I was going to the theatre. The next morning I was around by the Queen's Hotel and saw Harper, Caldwell, Randall, Ford and one Charles Holt.

Q.—Did you see a man called Texas? A.—Yes, sir.

Q.—State the conversation which occurred there between you? A.—Harper said they were going to the States, and that they were going to kick up the damnedest row that had ever been heard of yet. Then some other conversation passed among us. I don't now remember what. It was nothing of any importance, till, in the course of an hour or two after, I met Harper, and he said if I did not hear of the death of Abe and the Vice-President, and of Gen. Dix, in less than ten days, I might set him down as a d—d fool. The 5th, as I find on looking at my visiting list, and this was on the 6th.

Q.—Did Harper speak at the time, or not, of Booth and Surratt—as being at Washington? A.—I think that Booth's name was mentioned as being at Washington; but I do not remember hearing Surratt's at that time.

Q.—Was anything said in regard to their having friends at Washington? A.—They said they had plenty of friends here, and that there were some fifteen or twenty going to Washington.

Q.—Did you or did you not call afterwards and ascertain that Harper had, in fact, left on the 8th of April? A.—On the Saturday afterward I was at Galt. Har-

per's mother is living some four or five miles from Galt, between that and Paris. I ascertained then that he had been to the place he had been stopping, and Caldwell's, and started for the States.

Q. After you had ascertained this information, that they had left for Washington, probably for the purpose of assassinating the President, what steps did you take in the matter? A.—I went to a Justice of the Peace there for the purpose of giving information to have them stopped. His name was Davison.

The absolute falsehood of this whole story about going to a Justice of the Peace, and then to a Judge, is exposed in the statement of Mr. St. Lawrence, and the affidavit of John Davison, Esq. (pp. 39 and 40.)

Q.—State what occurred on your application. A.—When I gave him the information, he said the thing was too ridiculously absurd, or too supremely absurd, to take any notice of. It would only make me appear very foolish to give such information, and cause arrests to be made on such grounds, as it was so inconsistent that no person would believe it.

Q.—Therefore did he or not decline issuing any process? A.—He declined to issue process.

Q. Do you or not know at what time this man Harper returned from the States to Canada? A.—I have not personal knowledge that he returned at all.

Q. What knowledge have you on the subject? A.—I was in Galt on Friday again, and I found there from Mr. Ford that he had been home on Thursday, and had started to go back to the States again; that was the Thursday after the assassination.

Q.—Did you know while there one Col. Ashley, a rebel officer? A.—I did not know that he was a rebel officer; I knew that he was a rebel sympathizer; he was a broker at Windsor, opposite Detroit.

Q.—Did you ever see a letter from Jacob Thompson, formerly Secretary of the Interior, to him? A.—Some time last Fall—I cannot tell exactly what time—Col. Ashley handed me a letter, which he said he had received from Jacob Thompson, asking him for funds for the benefit of the rebels to carry out their objects in Canada, and he asked me if I could not contribute: he read me the letter.

Col. Ashley swears that this story is untrue. (p. 43.)

Q.—What did you understand from him and from that letter to be those objects? A.—My understanding was that the purpose was to raise means to pay the expenses of those who were unable to pay their own expenses to get to the States and make raids; I so understood the meaning of the letter; I may have misinterpreted it.

Q.—Did you have any conversation with Jacob Thompson or Clement C. Clay? A.—I had a conversation with Mr. Clay.

Q.—At what time? A.—In February.

It is shown that Mr. Clay was not in Canada after November, 1864. (pp. 49 and 50.)

Q.—State what it was? A.—I spoke to him in Toronto about the letter that Mr Sanders had exhibited in Montreal—the letter of Jefferson Davis.

Q.—Did you state to him what that letter was? A.—He seemed to understand the nature and character of the letter perfectly; I asked him what he thought about it, and he said he thought "the end would justify the means;" that was his expression.

Q.—Justify the assassination? A.—That the end would justify the means.

Q.—You say that when you mentioned to him this letter from Jefferson Davis, approving of this plan of assassination, he seemed to understand it perfectly? A.—Yes, Sir, he seemed to understand it.

Q.—You spoke of having heard the name of Surratt. Do you remember that he was at any time pointed out to you when you were in Canada? A.—He was pointed out to me once.

Q.—At what time was that, and where? A.—It was in February, and I think in Toronto.

Q.—With whom was he there? A.—I did not observe him with any one; he was walking on the other side of the street, and was pointed out to me as being Surrat; and I am inclined to think it was Scott who pointed him out; when he was pointed out, Scott, Ford, and myself were standing on the sidewalk.

Q.—How often did you see Booth there? A.—I saw Booth there two or three times.

Q.—With whom did you generally see him associating? A.—I do not know that I could tell. I sat at the table with him once at the St. Lawrence. Sanders was at the same table, and Scott and Steele, and myself.

Q.—Did you see Sanders and Booth together? A.—I do not know that I did, any more than at the table. They were conversing with each other at the table. We all drank some wine at Mr. Sanders' expense.

Q.—Was not Booth recognized by them all as their friend, and as fully permitted to know any enterprise they were engaged in? A.—I cannot answer that question, for I do not know.

Q.—Did you hear what Sanders said of Booth? A.—I know what was said in the meeting; outside of that I did not hear any person speak particularly in relation to Booth.

Q.—Did you have personal acquaintance with Booth yourself? A.—No, Sir; I had seen him a good many times on the stage, and knew him very well by sight.

The photograph of J. Wilkes Booth, exhibit No. 1, was shown to the witness.

Q.—Is that a correct representation of him? A.—I should think that was the man.

Q.—What is the full name of "Harper," of whom you have spoken? A.—George Harper.

Cross examined by Mr. Biona.—Q.—Did you see the man who was called Harrison and whom you think is Herrold, more than once in Canada? A.—I think I saw him two or three times.

Q.—At what time did you see him? A.—In February.

Q.—What time in February? A.—About the middle, or somewhere about the 15th or 20th of the month.

Q.—Did you make his acquaintance? A.—I did not.

Q.—Do you remember who pointed him out to you? A.—I think it was a Mr. Brown and Ford and Holt together.

Q.—Was it in a street? A.—In a saloon.

Q.—Night or day? A.—In the evening.

Q.—Did you notice him more particularly than the generality of persons in the saloon? A.—I noticed him a little more particularly on account of his name having been mentioned in connection with others at Montreal.

Q.—Was this in Montreal? A.—No; it was in Toronto.

Q.—Was Booth in the saloon? A.—No.

Q.—After he was pointed out you saw him once or twice, and that he went by the name of Harrison, you say? A.—It is my impression that he went by that name; I do not remember to have heard the name of Herrold mentioned at all.

Q.—Did you see him after that at any time till now? A.—No, Sir, I did not.

Q.—And you saw him to-day for the first time since then? A.—Yes, Sir.

Q.—How was he dressed then, do you remember? A.—I do not know that I do.

Q.—I mean the general style of the dress; was he well dressed or not? A.—I did not see anything about his dress that particularly attracted my attention.

Q.—I do not mean the color of his clothes, but was he genteely dressed? A.—I should think he was comfortably dressed; some people's ideas of gentility differ from those of others.

The hour fixed by the rule for that purpose having arrived, the commission took a recess till 2 o'clock, P.M.

COURT ROOM, WASHINGTON, D. C.
Friday, May 12, 1865—2 o'clock, P.M.

James J. Murphy, Edward V. Murphy, and Robert Cornyage were duly sworn by the Judge-Advocate as reporters to the commission, in the presence of the accused.

James B. Merritt's Cross examination continued by Mr. Aiken.—Q.—Where were you born? A.—I was born in Canada.

Q.—Then you are a native of Canada? A.—The first question asked me by the Judge-Advocate was, "What State are you a native of," and my answer was that I could not tell. I can explain that. My people lived in Rome, Oneida County, New York. Father and mother were in Canada visiting and taking care of some of their friends at the time I was born. The question was raised, the first time I offered my vote, whether I was a native of New York or Canada, and was undecided.

By the Judge-Advocate.—Q.—That was what you meant by your answer? A.—Yes, Sir.

By Mr. Aiken.—Q.—What is your age? A.—Nearly forty.

Q.—How often did you visit Canada last Summer and Fall? A.—I have been there all the time since May last, pretty much, with the exception of a few days in December, that I occasionally went back and forth to Detroit.

Q.—What was your business in Canada? A.—Practicing medicine.

Q.—When did you first meet any of the parties you have named in Canada? A.—Some of them I met the first day I was there.

Q.—You went in May? A.—Yes, Sir; I went in May.

Q.—Where were they? A.—Ford was there in May.

Q.—By whom were you introduced to these parties? A.—Some of them introduced themselves.

Q.—Were you introduced to any of them? A.—Then I was introduced afterward to some; Col. Ashley introduced me to Mr. Clay.

Q.—Was that the first introduction you had to those parties? A.—That was the first introduction I had to Mr. Clay.

Q.—To any of them? A.—Oh, no; I think Col. Ashley introduced me to two or three others there, among the rest was Captain Scott.

Q.—How was it that you were on such confidential terms with these gentlemen? A.—Because I was a good Southerner—represented myself as such.

Q.—Is that the reason why you were asked to contribute? A.—Yes, Sir.

Q.—On account of your known status there as a Southerner? A.—They supposed I was a good Southerner, and I presume that was the reason Mr. Ashley asked me to contribute.

Q.—You spoke of drinking wine with Mr. Sanders; was that before or after the morning at which the letter was read to which you referred? A.—That was after the interview we had in October, but before the meeting at which the letter of Davis was read.

Q.—Where was that meeting held? A.—In Mr. Sanders' room.

Q.—Who invited you to be present at that meeting? A.—Capt. Scott.

Q.—It is possible that a portion of that letter has been misapprehended—I would like to have you state the main points in it again. A.—Mr. Sanders read the letter aloud; I did not read the letter myself; I think that I stated that in the commencement the purport of the letter was, that Mr. Davis did not wish to recognise any persons as his friends who were willing to submit to be governed by Mr. Lincoln—conveying the sentiment, the language might be varied a good deal; and that if the President and Vice President, and some of the Cabinet and the leading Generals could be disposed of, it would satisfy the people of the North that they (the rebels) had friends here.

Q.—That was stated in the letter? A.—That was stated in the letter. I think that was the meaning of the letter; the phraseology I perhaps do not exactly remember.

Q.—We want to know what was actually said in the letter? A.—I say that that was the substance. I do not say that was the exact phraseology.

Q.—Was there anything more in the letter? A.—There was considerable. It was quite a lengthy letter.

Q.—Did you make any expressions at the time in the meeting? A.—No, Sir.

Q.—Did you see the Justice of the Peace to whom you referred immediately after that meeting? A.—No, Sir.

Q.—How long was it afterward? A.—It was over a month.

Q.—What time was the letter read? A.—The letter was read in February, and I went on the 10th of April to see the Justice of the Peace.

Q.—After the Justice of the Peace refused to accede to your request, what did you then do? A.—I then called upon a Judge of the Court of Assizes, made my statement to him, and he said I should have to go to the Grand Jury.

Q.—What did you do then? A.—I did not do anything; went home.

Q.—When did you first communicate to the government this information that you have detailed here? A.—I think it was two weeks ago to-day.

Q.—Since the assassination of the President? A.—Yes, Sir.

Q.—What was your object in keeping this information so long to yourself? A.—There was no authority to communicate it to.

Q.—But as a good citizen you were bound to communicate it, why did not you do

it? A.—In the first place I was not here where I could communicate. I am a practicing physician in North Dumfries, Canada. It is some 500 or 600 miles from here.

Q.—There is a post office at Dumfries? A.—Yes, Sir; there is one.

Q.—There is one at Toronto and one at Montreal? A.—Yes, Sir.

Q.—Is that the only reason that you have? A.—No, Sir, I cannot assign any particular reason why I did not communicate it. The government, though, was in possession of the information without my communicating, I understand.

Q.—Was it not owing to the fact that you are a Southerner in your feelings and affiliations? A.—No, Sir.

Q.—Where were you when Mr. Surratt was pointed out to you, as you state? A.—In Toronto I think.

Q.—At what time of the year was that? A.—That was in February.

Q.—In February, 1865? A.—Yes, Sir; last February.

Q.—Did you have a good view of the gentleman? A.—I saw him on the street.

Q.—Were you on the same side of the street with him or across? A.—On the same side. He was pointed out coming toward me, and on the opposite side. He crossed on the same crossing and passed down by me.

Q.—What sort of a looking man was he? A.—I never saw him but once; he is a man, I should think, as tall as I am, nearly five feet six inches, or seven or eight inches, rather slim and he wore a moustache.

Q.—What was the color of that moustache? A.—Dark.

Q.—What was the color of his hair? A.—I did not notice his hair particularly. I noticed that he had a moustache.

Q.—What was the color of his eyes? A.—I do not know that I noticed.

Q.—How was he dressed? A.—Dressed in ordinary clothes, like any gentleman would be.

Q.—Dark colored clothes? A.—I should think they were, but I might be mistaken.

Q.—Are you pretty positive that they were dark colored clothes? A.—I would not be positive that they were. I would not be positive that it was Surratt, either, because I do not know the man.

Q.—What day of the month was that as near as you can recollect? A.—I should think it was somewhere in the neighbourhood of the 20th perhaps, it was after the middle I should judge.

It is proved that Merritt was at Ayr on the 20th, and for ten days before at least; besides proof that he was not away from Ayr two days at a time in that whole month. (pp. 40 and 41.)

Q.—Who was the American Consul at Toronto? A.—I do not know; I do not know an American Consul in the Province.

Q.—Did you ever meet him? A.—Not that I know of.

Q.—There was one there? A.—I do not know that I ever met him.

Q.—When you were drinking wine at Sanders' expense, and in convivial conversation with him, did he disclose to you freely any of plans and purposes of the Southern men in Canada? A.—Not at the table.

Q.—Did he privately, in his room? A.—I had no conversation with Mr. Sanders except what I had at those interviews, in relation to any conduct of the Southerners in Canada; that was in his room at the time I was introduced by him to Gen. Steele.

Q.—Go back again. Under what circumstances was the gentleman whom you think was Surratt pointed out to you? A.—I do not know that it was under any particular circumstances; a man by the name of Ford, who was present at the meeting held in Montreal said, "Doctor, that's Surratt."

Q.—Was Surratt mentioned in the meeting? A.—Surratt's name was.

Q.—Was you talking with Ford at that time in regard to any of the plans and purposes divulged in that meeting? A.—Yes, Sir.

Q.—Was that the occasion? A.—That is how he happened to speak of this man.

Q.—You think he is a man about five feet six inches high? A.—Five feet six or eight inches I should judge.

Q.—Your impression is that he was dressed in dark clothes? A.—I could not say what his clothes was; he might have been dressed in dark clothes, or dark grey, or gray; I could not tell now for the life of me what he was dressed in.

Q.—You think he had a dark moustache? A.—I think his moustache was dark, it was not red, at least I think it was not.

By the Judge-Advocate.—Q.—I understand you to say that the occasion of Surratt's being pointed out to you was because he was one of the men spoken of in this meeting who were willing to accomplish the assassination of the President? A.—He was one of the men spoken of by Mr. Sanders. Mr. Ford was present at the time Mr. Sanders mentioned it.

Q.—How many were present at that meeting? A.—I should think there were ten or fifteen.

Q.—How many can you name? Name as many as you can. A.—There were Mr. Sanders, Col. Steele, Capt. Scott, George Harper, Caldwell, Ford, Kirk, Benedict, George Young, and Byron Hill.

Q.—Do you know whether this Harper was or was not from Richmond Virginia? A.—I believe that Harper and Caldwell were both residents of Richmond, Virginia; at least they represented themselves as such.

Q.—Did they represent themselves to have been in the rebel service? A.—I believe they had been; I think they said they had been in the rebel service; whether they were commissioned or privates I cannot say.

Q.—The Clay of whom you have spoken is Clement C. Clay, of Alabama, formerly of the United States Senate, is it not? A.—Yes, Sir; C. C. Clay, a tall slim man.

By Mr. Aiken.—Q.—From what point did you communicate this information to the government? A.—In the War Department.

Q.—Did you come directly here? A.—Yes, Sir. I have in my pocket a letter from the Provost Marshal-General, stating that he had received a letter which proved to have been written by Squire Darisent, giving information of my visit to him when I wished to have Harper and Cauldwell arrested, and upon the receipt of that letter they sent to Canada for me; if you wish to see the letter I can produce it.

By the Judge-Advocate.—Q.—By whom was that letter written? A.—By Gen. Fry.

The Judge-Advocate, without objection, offered the letter in evidence. It is as follows:

WAR DEPARTMENT, PROVOST-MARSHAL-GENERAL'S BUREAU,
Washington, April 20, 1865.

To Dr. J. B. Merritt, Agent, Canada West:

SIR: I have been informed that you possess information connected with a plot to assassinate the President of the United States and other prominent heads of the government. The bearer has been sent to present this letter to you, and to accompany you to this city. If you will come the Secretary of War authorises me to pledge you protection and security, and to pay all expenses connected with your journey both ways, and in addition to promise you a suitable reward if useful information is furnished. Independent of these considerations it is hoped that the cause of humanity and justice will induce you to act promptly, individualising anything you may know connected with the recent tragedy in this city or with any other plots yet in operation. The bearer is directed to pay all expenses connected with your trip.

I am, etc., very respectfully, your obedient servant,

JAMES B. FRY, Provost-Marshal-General.

The original of the foregoing is annexed to this record, and marked "Exhibit No. 5."

The promise of a "suitable reward" for "useful information," when made by a wealthy government, could not fail to procure whatever information such a government might happen to desire.

By the Judge-Advocate.—Q.—It was under that letter that you came? A.—Yes, Sir.

By the Court.—Q.—The witness, in giving the reason for his admission to the meeting of the conspirators in Canada, said it was because he was a good Southern man; and then, in giving a reason for not communicating this information to the government, he said emphatically he was not a good Southern man. How is that discrepancy explained? A.—I said they admitted me because I was a good Southern man, and I said it in such a way that I thought it would be understood that I had made the impression on their minds that I was a good Southern man. God knows I am not a Southern man in sentiment, because I have taken the oath of allegiance too often.

By Mr. Aiken—Q.—Where were you at the time Mr. Ashley asked you to contribute? A.—In Windsor, opposite Detroit.

Q.—You stated that you did not contribute anything at that time? A.—I did not.

Q.—Did you ever contribute anything for that special purpose? A.—No, Sir.

Q.—Either in money or services or advice? A.—No, Sir.

Q.—When did you leave New York? A.—Four or five or six years ago; more than that.

Q.—When were you last in New York city? A.—I have not been there, I think, since 1858 or 1859.

Q.—Did you know anything of the plot to burn that city? A.—I did.

Q.—Did you communicate that to any one? A.—I did.

Q.—To whom? A.—To Col. Hill, of Detroit.

Q.—How did you come to find out anything about that? A.—I heard it in the talk at Windsor.

Q.—Did you communicate your knowledge before or after the attempt to burn that city? A.—Before the attempt.

Q.—Are you acquainted with Robert Kimball, of Toronto? A.—No, Sir.

Q.—Did you ever see him? A.—Not that I know of.

Q.—He is the Consul there? A.—I do not know him.

Q.—Who of the Southerners communicated to you this intention to burn New York city at Windsor? A.—Robert Drake, formerly of Morgan's command.

Q.—Was he the only one? A.—Another of the name of Smith; I do not know Smith's first name, but they were both of Morgan's command, and they had been to Chicago to attend the Presidential Convention there, and went there for the purpose of disturbing the public and releasing the rebel prisoners at Camp Douglas; at least they told me that that was their object in going, after they returned.

Q.—After you had thus been made aware of the plot to burn the city of New York, and commit that depredation in Chicago, why did you continue your friendly relations with that class of men? A.—For the purpose of giving information when I should find it of importance; another thing, my practice was mostly among that class of men—among Southerners; if you go to Canada, you will find that nine-tenths of the people are rank rebel sympathizers.

Q.—Did you continue your friendly and confidential relations with them after that? A.—I did.

Q.—By whom were you paid for communicating the information? A.—I never have received a dollar from the government for furnishing any information from Canada.

Q.—Have you ever received anything from the rebels for any services rendered to them? A.—No, Sir; I say I never received a dollar; the government did advance me money here the other day, to pay my expenses; I have proofs in my pocket which I can show, if necessary, from the Provost-Marshal at Detroit, that I furnished valuable information without remuneration.

Q.—Why, after this, and after you were continuing your relations with them, should they continue to think you a good Southerner? A.—You must ask them; they can give you more information on that point than I can.

Q.—Did you intentionally deceive them? A.—My intention was to get all the information I could from them.

Q.—At the same time pretending to be their friend? A.—Yes, Sir.

AFFIDAVIT OF F. A. St. LAWRENCE.

Toronto, June 11th, 1868.

On the eighth of June I proceeded to Galt in the township of North Dumfries and County of Waterloo, to investigate the evidence of James B. Merritt, given in secret at Washington, discovered that there was a Justice of the Peace named Davidson at that place as stated by Merritt; called on him; Mr. Davidson assured me that until I drew his attention to the evidence, that he had not known there was such a person in existence as James B. Merritt; that neither Merritt nor any other person had ever laid an information before him respecting Harper and Caldwell, or any other persons, in any matter having reference to the assassination of Lincoln, and that the testimony of Merritt in the matter was utterly false and without foundation, obtained the affidavit of Mr. Davidson as to these facts which is hereunto annexed. I called upon Judge Miller the only resident Judge either in the town or county—and upon Messrs. Lute, Blain, and Sampson, the only other Justices of the Peace in the town of Galt, and that no such information had ever been laid before any of them, made diligent enquiries as to whether any parties of the name of Harper, Caldwell, or Ford, had been during the entire war known at Galt, and ascertained as a fact beyond all dispute that no such parties had ever been in the town or county; next proceeded to investigate the truth of Merritt's statement as to the mother of Harper being resident four or five miles from Galt on the Paris road; there are two roads leading to Paris from Galt; no woman having a son named George Harper has, during the last twenty-five years lived on either of these roads, nor in the Township of Dumfries, nor in the County of Waterloo; state this upon the testimony of men who know every person resident in the neighbourhood, viz: Sylvanus Wrigley, the Tax Collector, Kirkpatrick, the Bailiff, Thomas Chisholm, J.P., and others; also state it as the result of my own minute investigation.

I next proceeded to Ayr in the same township and county, the residence of James B. Merritt, called upon the Justices of the Peace and principal residents of the village, found the whole of them highly indignant that such a man as James B. Merritt should be a resident of the village; they had read the testimony given by Merritt, and well knew that he had committed perjury of the grossest character; Ayr being a small place the absence from home of a practising physician was necessarily known to every body, it was the universal testimony, that Merritt had never been absent from Ayr for two consecutive days for six months last past, until he proceeded to Washington recently; and any number of affidavits can be obtained to prove his presence in Ayr, upon the days that he swore he was in Montreal and Toronto; obtained the affidavit of his servant man, Jackson, who slept in the house, that he, Merritt, was not from home on any two consecutive days during the month of February last, when he swears he was in Montreal; found that affidavit could be obtained to prove that from the 18th to the 25th of February he was each day at the house of Thomas M. Cook, in attendance upon a sick child, also at the house of one Scott; and that upon one of the days he swore he was in Montreal he had delivered a woman of child in the village of Ayr; abundance of testimony can be procured as to these facts.

The man Merritt, when he came to Ayr, had made so many false statements that he had utterly failed to obtain the respect or confidence of any respectable man, Dr. Bingham has a letter from an eminent physician at Knoxville, Tennessee, from which place he hailed, which exhibits the man Merritt in a very unfavorable light; much surprise had been expressed at the suppression of the secret testimony at Washington, and on one occasion lately, when this surprise was expressed to Merritt by Mr. Rhineck, he stated that it was perfectly right, for that he Merritt was so indignant at the assassins that he had been obliged to testify, but that he would be very sorry to see his testimony in print.

Since Merritt's return from Washington a large amount of money in greenbacks has been seen in his possession, and his rather extensive liabilities have been discharged, he now boasts that "he owes no man anything." Merritt has stated to Mr. Henderson and to Mr. Ross that he never was in Montreal and that he never said he had been there.

Rev. Mr. McClure has seen in Merritt's possession free passes over the Northern Railway, previous to his visit to Washington. Merritt has so aroused the indignation and disgust of the people of Ayr by his perjury that an indignation meeting

was to have been held, and a coat of tar and feathers administered on the night of my arrival, and he was only saved from it by my remonstrance. He has also earned the contempt of the people of Ayr by his attempt to enter the Masonic Fraternity there by fraud and forgery.

It is only right to state that the opinion of the people is unanimous. Mr. Watson, Esq., Justice of the Peace and others, whose whole sympathies have been consistently with the North, are amongst the most indignant at the man Merritt's barefaced perjury, no doubt exists in the mind of any body that he was a suborned witness, and that being in difficulties, he has sold himself and his honor for the purpose of extricating himself.

A document is in course of signature by J. Watson, Esq., J.P., J. Kilgour, Esq., J.P., Dr. Bell, Donald McClure and others, expressing these views, and also stating that from their knowledge of the man they would not believe his word or his oath.

I might add that the names Caldwell and Ford, used by Merritt at Washington as those of conspirators, are the names of two quiet respectable families in this neighbourhood, and it is thought by the people of Ayr that he used these names because they were the first that came into his mind.

I proceeded to Paris in the Township of Dumfries, and found that Merritt had been to the Gore Bank about a month ago and stated his desire to open an account there, also called upon the druggist from whom he has been in the habit of obtaining his medicines and found that there will be no difficulty in proving his presence at Ayr and Paris upon days on which he swore he was elsewhere.

F. A. St. LAWRENCE.

I should add that the wilful perjury of this man Merritt has entirely succeeded in banishing from the minds of the good people of the County of Waterloo all idea that Jefferson Davis, Mr. Clay, Mr. Cleary, or Mr. Thompson, had any knowledge or complicity in the recent tragedy at Washington.

F. A. St. LAWRENCE.

AFFIDAVIT OF WILLIAM JACKSON.

Ayr, Co. Waterloo, C. W., June 9th, 1865.

I, William Jackson, do make oath and say, that during the month of February and March last I lived in the service of James B. Merritt of this village, physician, and that to the best of my knowledge and belief the said James B. Merritt was not absent from Ayr during any two consecutive days during the month of February last past.

WILLIAM BELL, Witness.

his
WILLIAM × JACKSON.
mark.

Sworn before me this ninth day of June, 1865, at Ayr, in the County of Waterloo.

JOSEPH KILGOUR, J.P.

AFFIDAVIT OF JOHN DAVIDSON.

Province of Canada, County of Waterloo, to wit:

I, John Davidson, of the Town of Galt, in the County of Waterloo, and Province of Canada, Esquire, say as follows:

1. I am one of Her Majesty's Justices of the Peace, in and for the County of Waterloo, and am the only Justice of the Peace of the name of Davidson in the said Town of Galt.

2. I have lived for many years in the said Town of Galt and am well acquainted with the magistrates of said Town and County. There is no Justice of the Peace of the name of Davidson in said Town, nor I firmly believe in said county.

3. I have read over the newspaper reports of the evidence given by Doctor James B. Merritt, of the Township of North Dumfries, in this county, recently taken in Washington, in the United States of America, in regard to the assassination of President Lincoln.

4. I swear most distinctly and positively that to my knowledge I never saw the

said Doctor James B. Merritt, nor do I recollect ever having heard of such a person until within the last two or three days.

5. Neither the said Doctor James B. Merritt nor any other person ever laid before me or any other magistrate so far as I know any complaint or information in regard to the assassination of President Lincoln, prior thereto, or at any other time, nor did I ever dissuade any person or persons from laying any such complaint or information or ever say I would not issue any process on any such information or complaint provided the same should have been or should be laid before me.

6. I never wrote any letter to any official or any other person in the United States of America, or elsewhere, in regard to any plot having for its object the assassination of President Lincoln.

JOHN DAVIDSON.

Personally came before me, William Nicholas Miller, of the Town of Galt, in the County of Waterloo aforesaid, a notary public for Upper Canada, duly constituted by royal authority in that behalf, the within named John Davidson who signed the foregoing paper and asserted the truth thereof in my presence, on this ninth day of June, A.D. 1865.

In witness whereof I have hereunto set my hand and affixed my seal of office the day and year last aforesaid.

W. NICHOLAS MILLER.

AFFIDAVIT OF THOMAS SCOTT.

AYR, County of Waterloo, C. W., June 13, 1865.

I, Thomas Scott, do solemnly affirm and swear that Dr. James B. Merritt of this place, was in attendance upon my wife in my house at Ayr, on Friday the tenth of February last; also, on Saturday the eleventh, and on Wednesday the fifteenth, and on Saturday the eighteenth of February last; and that upon the following Monday, the twentieth day of February last, I saw the said Dr. James B. Merritt at the house of Dr. William Bell, in the said town of Ayr.

THOMAS SCOTT.

Witness—F. A. St. LAWRANCE.

Sworn before me, this thirteenth day of June, 1865, at Ayr, in the County of Waterloo.

JOSEPH KILGOUR, J. P.

AFFIDAVIT OF THOMAS M. COOK.

AYR, County of Waterloo, C. W., June 13, 1865.

I, Thomas M. Cook, of the village of Ayr, in the County of Waterloo, do solemnly swear and affirm that James B. Merritt, who was practising medicine in this village, was in attendance upon my child, at my house in Ayr, on the night of the twentieth day of February last, and upon each succeeding day up to the twenty-sixth day of February last.

THOMAS M. COOK.

Sworn before me, this thirteenth day of June, 1865.

GEORGE CHITTENDEN, J. P.

Witnessed by F. A. St. LAWRANCE.

AFFIDAVIT OF WILLIAM BELL, Esq., M.D., CORONER FOR THE COUNTY OF WATERLOO.

I, William Bell, Doctor of Medicine, and Coroner for the County of Waterloo, do solemnly swear and affirm, that from my experience as to the veracity of James B. Merritt, late of this village, and from reading the report of his evidence given at Washington, I certainly would not believe any statement of his even if given on oath. To the best of my knowledge and belief, the said James B. Merritt was not absent from the village of Ayr during any two consecutive days in the month of February last, and this is the universal testimony of the people of the village.

WILLIAM BELL.

Sworn before me, this thirteenth day of June, 1865, at Ayr, in the County of Waterloo.

GEORGE CHITTENDEN, J. P.

Witnessed by F. A. St. LAWRANCE.

From Toronto Globe of June 24th.

We give to-day the statements, over their own signatures, of three responsible parties, justices of the peace, residing in the county of Waterloo, respecting the character of Dr. Merritt, late of the village of Ayr, one of the secret witnesses against Jefferson Davis and his Canada agents. This testimony is only in corroboration of what has been said before in various ways and on pretty good authority; but these last statements, taken in connection with the previous ones, appear utterly to destroy the value of Merritt's evidence.

DR. MERRITT'S EVIDENCE.

(To the Editor of the Globe.)

Sir,—I have seen several anonymous letters in the public prints bearing upon the evidence taken in secret session at Washington, and recently published; and as one of the witnesses [James B. Merritt] lived in Ayr since about last Christmas, I have frequently been called upon to give my opinion as to his standing and veracity.

Previous to the publication of anything relating to the Washington evidence, circumstances, not in any way connected with his or my political tendencies, led me to watch Mr. Merritt closer than I otherwise would have done; I was brought a good deal into contact with him, and, after a careful examination of the man, I give the following as the conclusion at which I have arrived:—

1st. That Mr. Merritt's veracity is not to be relied upon.

2nd. That as regards his being in Montreal "about the middle of February" last, it can be proved beyond doubt that he was not absent from Ayr long enough to be in Montreal at any time during that month.

3rd. That his statement that nine-tenths of the people of Canada are rebel sympathizers is a base libel upon the inhabitants of this section (to whom it would be presumed more particularly to refer from the fact of his living here), and I am certain that they would gladly avail themselves of any official means of refuting the calumny.

I might mention in this connection a fact which will be readily understood by the public that while those papers which have advocated the Southern cause are scarcely read here, the circulation of The Globe, which is understood as advocating the cause of the North, is, in proportion to the population, larger in and around Ayr than in any other part of Upper Canada.

From certain circumstances, well known to several parties here, together with the exposition of the evidence given by Mr. Merritt at Washington, I have no hesitation in saying that I would not believe him on his oath; nor is this my individual opinion: it is endorsed by two of my brother magistrates, and is the opinion of several of our leading business men.

I do not write this through any sympathy with the parties accused in Mr. Merritt's evidence, as you, Mr. Editor, are probably aware that my sympathies have always been with the North, but I consider it my duty as a matter of information to the public in estimating the value of the evidence given by Mr. Merritt as well as in reply to the several applications made to me to give publicity to the current feeling in this neighbourhood.

Yours respectfully,

JOHN WATSON.

Ayr, C.W., June 21, 1865.

I believe the foregoing statement of Mr. Watson's to be true, and of my own knowledge can vouch for the correctness of that part of it which refers to the evidence given by James B. Merritt, at Washington; and, further, I have no hesitation in declaring that Mr. Merritt's veracity is not to be relied upon, and that I would not believe him on his oath.

JOSEPH KILGOUR.

I believe the foregoing statements of Mr. Watson's to be true so far as I am personally cognizant of them, and can vouch for the correctness of his 2nd and 3rd statements relating to Mr. Merritt's being in Montreal in February last, and to the libellous assertion made by him that nine tenths of our Canadian people were rebel sympathizers.

ROBERT WYLLIE.

AFFIDAVIT OF L. W. ASHLEY.

County of Essex, to wit:

I, Lewis W. Ashley, of Windsor, in the County of Essex, of Canada, Broker, do make oath and say as follows:—

1. I have read the published testimony of James B. Merritt before the Commission of Enquiry into the assassination of the late President Lincoln, as published in the Toronto *Leader* of the 6th ultimo.

2. I have never received nor seen any letter or writing from Jacob Thompson or any other Confederate leader, to me or to any one else, on any matters pertaining to the recent rebellion in the United States, nor did I ever represent to said Merritt that I had, nor did I ever show him, any letters on the subject of contribution for rebel purposes, nor did I ever so contribute myself, nor ask him or any other to so contribute.

3. I am not personally acquainted with, nor have I ever, that I am aware of seen, either Clement C. Clay, Jacob Thompson, George N. Sanders, Holcomb, Cleary, or their associates. I have therefore no idea what leading Southerners said Merritt can refer to, when he says I introduced him to several. I do not remember even introducing Merritt to any one. I had too slight a knowledge of him, and thought him too suspicious a character to be introduced by me.

4. The only way in which I have known said Merritt, was that he several times came to my broking office in Windsor, endeavouring to obtain credit upon representations which invariably turned out to be false, thus he, at different times, represented that he had large sums at his credit in the Commercial Bank here and elsewhere, when he had not a copper there. He at one time obtained from me a loan, by representing that he had gone into partnership with a distiller in Windsor [Mr. Rae], and was hastening to Toronto on the firm business—which was all utterly false. During his stay in Windsor, I believe he earned but one reputation, which the common voice would give him, that of a disreputable swindler. And I do propounce false in every respect, the said reported testimony of said James B. Merritt, as far as it refers to me, or to events within my knowledge.

L. W. ASHLEY.

Sworn before me, at Windsor, in the County of Essex, this twenty-ninth day of June, A. D. 1865.

D. E. HOBART,
U. S. Consul, Windsor, C. W.

AFFIDAVIT OF PHILIP T. WORTHINGTON.

Province of Canada, County of Essex, to wit:

I, Philip Turner Worthington, of the Town of Windsor, in the County of Essex and Province of Canada, Barrister-at-Law, make oath and say:—

1. That I have seen James B. Merritt, who was formerly a resident of Windsor, and whom I believe to be the same person who gave evidence before the Military Tribunal convened at Washington, in the District of Columbia, in the State of Maryland, one of the United States of America, to try certain persons charged with, or implicated in, the assassination of the late President of the United States, (Mr. Lincoln.)

2. That I have read the evidence of the said Merritt, implicating or charging Steele, Scott, Young, and others, as being present at a meeting held in the city of Montreal, in the Province of Canada, on or about the twentieth day of February last past, at which meeting a letter purporting to have been written by one Jefferson Davis, was, according to his (Merritt's) statement, read by Steele, Scott, Young and Hill.

3. That I was, during his said Scott's evidence in this country, the legal adviser of him Scott, who is the party referred to in the evidence of said Merritt.

4. That from business transactions which took place between said Scott and myself, both in the latter end of the month of January and the month of February, I state confidently that said Scott could not have been present at the meeting in Montreal on the twentieth of February last, as stated in the evidence of said Merritt, as

the said Scott was at that time, and during the whole month of February, to the best of my knowledge and belief, in the Town of Windsor aforesaid.

P. T. WORTHINGTON.

Sworn before me, the undersigned United States Consul, at Windsor aforesaid, this nineteenth day of June, 1865.

D. K. HOBART,
U. S. Consul, Windsor, C. W.

AFFIDAVIT OF C. B. GILBERT, M. D.

STATE OF MICHIGAN, Wayne County:

C. B. Gilbert, M. D, of Detroit, Wayne County, Michigan, being duly sworn, deposes and says that he is a practising Physician in Detroit, and also has an extensive practice in Windsor, C. W., where he has resided until May 6th, 1865; that he is acquainted with one Thomas B. Scott, known as Captain Scott, whose family has resided at Windsor aforesaid, during the past winter, and who formerly resided in the State of Kentucky.

That he has attended the family of the said Scott professionally during the past winter, and knows that from the 25th to the 27th days of February, 1865, inclusive, from the 1st to the 5th days of March, 1865, inclusive, from the 10th to the 13th days of April, 1865, inclusive, and on the 25th day of April, 1865, the said Captain Scott was with his family in Windsor, C. W. aforesaid, he having seen and conversed with him on the days and dates above mentioned.

C. B. GILBERT.

Subscribed and sworn to before me, this twentieth day of June, A. D. 1865.

D. W. HOWARD,
Notary Public, Wayne Co., Mich.

AFFIDAVIT OF WILLIAM CHAPMAN.

CANADA, County of Essex, to wit:

I, William Chapman, of the Town of Windsor, in the County of Essex, Clerk, make oath and say:—

1. That I am, and have been for the last five years, clerk and book-keeper for William Hirons, the proprietor of the "Hirons' House," Windsor, a public Hotel for the accommodation of travellers and others.

2. That I am well acquainted with George Young, who has for a long time boarded at the said "Hirons' House," the party referred to in the evidence of James B. Merritt, given before the Court now sitting in Washington trying the alleged conspirators in the assassination of the late President.

3. That I have read the evidence given by the said Merritt, respecting the said Young, as regards his being present at a meeting held in Montreal in the month of February last, at which meeting a certain letter purporting to have been written by one Jefferson Davis, is asserted to have been read by said Young and others.

4. That I swear, after a careful examination of the Hotel Books kept by me, that it was impossible for the said Young to have been present at the time and place mentioned in said Merritt's evidence, as I am positive that he, said Young, was at the time specified, in the Town of Windsor, in the County of Essex, and Province of Canada.

WILLIAM CHAPMAN.

Sworn before me, at Windsor, in the County of Essex, this 14th day of June, 1865.

D. K. HOBART,
U. S. Consul for Windsor.

AFFIDAVIT OF ANNIE PALMER.

PROVINCE OF CANADA, County of Essex, to wit:

I, Annie Palmer, of the City of Detroit, in the State of Michigan, one of the United States of America, Spinster, make oath and say:—

During the last winter I was a frequent visitor at the house of Col. Steele, situate between Windsor and Sandwich, and from the entries in my diary, I can positively swear that Col. Steele was at home on the 21st and 22nd days of February last.

ANNIE M. PALMER.

Sworn before me, at Windsor, in the County of Essex, this nineteenth day of June, A. D. 1865.

R. J. BLOOMFIELD,
Reeve of the Town of Windsor.

CERTIFICATE OF G. McMICKEN.

Office of Stipendiary Magistrate, Western Frontier,
Windsor, C. W., 19th June, 1865.

This is to certify that I have known Colonel Steele more or less intimately since within a short period of his arrival in Canada.

That owing to his being prominently known as a Southern refugee, he has, since the twentieth (20th) day of December last, been more immediately and directly under my observation and that of members of my force of Frontier Police.

That since the said date (although myself absent at intervals from my head-quarters here, in the neighborhood of which Colonel Steele resides), yet my means of information were such, that I do not believe it possible he could have visited Montreal without its being made known to me, and I therefore do not believe he has been in that city as alleged.

Robert Rae, Distiller, here; George Gilks, Exchange Broker, here; William and Robert McGregor, Bankers, here; P. T. Worthington, Attorney-at-Law, here; C. Grassett, Manager of the Commercial Bank, here; James Fraser, Watch-maker, here, and Mrs. George MacDonald, widow, here, are persons of respectability, of good repute, and whose veracity may be fully relied upon.

G. McMICKEN, P. M. W. F.

AFFIDAVIT OF DANIEL HIBLER.

Province of Canada, County of Essex, to wit:

I, Daniel Hibler, of the Town of Windsor, in the County of Essex, Gentleman, make oath and say:—

1. That I know James B. Merritt, the person who gave evidence before the court established to try certain parties charged with the assassination of Abraham Lincoln, late President of the United States of America, or implicated therein.

2. That I have been told by several persons that the said Merritt, while a resident of the Town of Windsor aforesaid, asserted to and told several residing in said Town of Windsor, that he had loaned me the sum of five thousand dollars.

3. That I swear positively the above statement made by said Merritt is untrue and false in every particular.

4. That from my acquaintance with said Merritt and from his representations made to me (which I afterwards ascertained to be false) I would not believe him on his oath.

DANIEL HIBLER.

Sworn before me at the Town of Windsor, in the County of Essex, this 16th day of June, 1865.

D. K. HOBART,
U. S. Consul, Windsor, C.W.

AFFIDAVIT OF JAMES FRAZER.

Province of Canada, County of Essex, to wit:

I, James Fraser, of the Town of Windsor, in the County of Essex and Province of Canada, jeweller and watchmaker, make oath and say:—

1. That I know James B. Merritt, a witness examined before the court assembled at Washington, to try the parties charged with, or implicated in, the assassination of Abraham Lincoln, late President of the United States of America.

2. That said Merritt for sometime resided in said Town of Windsor.
3. That I have had business transactions with said Merritt.
4. That from said transactions and from my general knowledge of his character I would not believe him, said Merritt, on his oath.

JAMES FRAZER.

Sworn before me at Windsor, in the County of Essex, this 14th day of June, 1865.

DANIEL K. HOBART,
U. S. Consul, Windsor, C.W.

AFFIDAVIT OF THOMAS PERKINS.

County of Essex, to wit:

I, Thomas Perkins, of Windsor, in the County of Essex, gentleman, do make oath and say as follows:

1. I knew James B. Merritt, who I believe to be the same person who has given evidence before the persons investigating the circumstances connected with the assassination of Abraham Lincoln, late President of the United States.
2. About the month of October last, he had called upon me on business matters and then represented to me that he had deposited in a banking establishment, I believe the Commercial Bank in Windsor, the sum of thirty thousand dollars—and that he had purchased one half interest in Mr. Rae's distillery.
3. Thereupon I made enquiries of Mr. Rae and ascertained that said statements were false.
4. From my knowledge of the said Merritt's character I would not believe him on his oath.

THOMAS PERKINS.

Sworn before me at the Town of Windsor, in the County of Essex, this 16th day of June, A.D. 1865.

D. K. HOBART,
U. S. Consul, Windsor, C.W.

AFFIDAVIT OF ROBERT RAE.

County of Essex, to wit:

I, Robert Rae, of Windsor, in the County of Essex, distiller, make oath and say as follows:

1. James B. Merritt, who I believe to be the person who recently gave evidence before certain persons investigating the circumstances connected with the assassination of the late Abraham Lincoln, President of the United States, was in the month of October last engaged by me as a millwright in my distillery in Windsor.
2. In the following month he proposed to purchase one half of my interest in said distillery, and become my partner therein; and he then told me that he had deposited with Messieurs McGregor and Brothers, brokers, in Windsor, sixteen thousand dollars American currency, and that he had lent Ashley and Gilkes, also brokers in Windsor, four thousand dollars.
3. I thereupon made enquiry of said brokers, and found that said statements were false, and I declined his offer above mentioned.
4. He subsequently mentioned to me that he had just lent my neighbour, Mr. Hibler, four thousand dollars, which I afterwards, on enquiry, found to be false.
5. From my knowlege of his character I would not believe him on his oath.
6. Said Merritt never has been my parther, nor connected with me otherwise than as aforesaid.

ROBERT RAE.

Sworn before me at the Town of Windsor, in the County of Essex, this 19th day of June, A.D. 1865.

D. K. HOBART,
U. S. Consul, Windsor, C.W.

AFFIDAVIT OF GEORGE GILKES.

PROVINCE OF CANADA, County of Essex, to wit:

I, George Gilkes, of the Town of Windsor, in the County of Essex, and Province of Canada, broker, make oath and say as follows:

1. In the year 1864 I was a partner in the banking firm of Ashley and Gilkes, doing business in Windsor. I am now doing business on my own account.

2. I know James B. Merritt, who I believe to be the same person who lately gave evidence before the Commissioners investigating the assassination of the late President Lincoln. He was in Windsor last year. He lived in the same house with me. He represented to our firm that he was a partner of Mr. Rae, a distiller in Windsor, and obtained from us a loan of $15 on the strength of such representation. He also represented to us that he had a credit of $25,000 in the Commercial Bank of Canada at Windsor, which he desired to loan through us. These statements turned out to be false, and to be made for the purpose of imposition by leading to the belief that said Merritt was a man of means. Said Merritt told me he was an atheist. From my knowledge of his character I would not believe him on his oath.

3. I know Col. Steele, mentioned in said evidence; he banked with said firm. I have examined the books and papers of the firm, and find that at the period said Merritt's evidence states said Steele was in Montreal there are cheques drawn by him on said firm in their office. I have no doubt whatever that said Steele was then in Windsor.

GEORGE GILKES.

Sworn before me at Windsor, in the County of Essex, this —— day of June, A.D 1865.

D. K. HOBART,
U. S. Consul, Windsor, C.W.

AFFIDAVIT OF J. C. LAWLER.

CANADA, County of Essex, to wit:

I, John Lawler, of the town of Windsor, in the County of Essex, Gentleman, make oath and say:—

That I was, during last year, a partner in the Banking Office of Messieurs Ashley and Gilkes, in Windsor aforesaid; that I knew James B. Merritt who, I believe to be the person who gave evidence before the Commissioners investigating the assassination of the late President Lincoln; that the said Merritt never had any account with said office. Said Merritt obtained from said Ashley & Gilkes a loan of fifteen dollars, by representing himself as a partner of Mr. Rae, and from my knowledge of his character, I would not believe him on his oath.

J. C. LAWLER.

Sworn before me, at Windsor, in the County of Essex, this day of June, A. D. 1865.

D. K. HOBART,
U. S. Consul, Windsor, C. W.

AFFIDAVIT OF WILLIAM McGREGOR.

CANADA, County of Essex, to wit:

I, William McGregor, of the Town of Windsor, in the County of Essex, Broker, make oath and say:—

That I am one of the members of the firm of McGregor and Brother, Brokers, in the Town of Windsor; that I knew James B. Merritt, who was in Windsor last year, and who I believe to be the same person who lately gave evidence before the Commissioners investigating the assassination of the late President Lincoln. The said Merritt never had any deposit with us nor any account at our office.

WILLIAM McGREGOR.

Sworn before me, at Windsor, in the County of Essex, this day of June, A. D. 1865.

D. K. HOBART,
U. S. Consul, Windsor, C. W.

AFFIDAVIT OF C. D. GRASETT.

CANADA, County of Essex, to wit:

I, Clement Grasett, of the Town of Windsor, in the County of Essex, Esquire, Cashier of the Commercial Bank at Windsor, make oath and say:—

That James B. Merritt, who I believe to be the witness before the Commissioners investigating the assassination of the late President Lincoln, who is said to have resided in Windsor some time in the year 1864, never had any money deposited in, nor any account with said Bank Agency, as appears by the books of said Agency.

C. D. GRASETT, Agent.

Sworn before me, at Windsor, in the County of Essex, this 21st day of June, A. D. 1865.

D. K. HOBART,
U. S. Consul, Windsor, C. W.

CERTIFICATE OF JUDGE LEGGATT AND OTHERS.

The undersigned residents of Windsor, Canada West, having read the published evidence before the Commission of Inquiry respecting the assassination of the late President of the United States, desire to make generally known their opinions upon the attack therein upon certain gentlemen, residents of their neighbourhood.

Colonel Steele and Mr. Ashley have lived among us, the former for about three, and the latter for about one year, during which time they have earned our friendship and respect, by gentlemanly demeanour, kindly and charitable disposition, and in short, by a display of all the qualities which should stamp good citizens of any country.

Colonel Steele has resided about a mile from this town; his daily practice has been to visit the town in the morning and remain until about 1 or 2, p. m., and revisit it in the afternoon. The regularity of his appearance was such that any intermission of it was sure to be remarked, as was several times shewn during his temporary absence from illness. Not being able to prove the negative of his presence in Montreal at any particular date, we can only assert the fact, of which we have no doubt whatever, that he could not have been absent during last winter for the time necessary for a journey there.

The same observations apply to Mr. Ashley, whose attendance at his banking office is and has been regular and daily. And we would express our utter and unqualified disbelief of the truth of the statements respecting these gentlemen, which our knowledge of their movements and of their character alike contradict.

We are well acquainted with Robert Ray, Thomas Perkins, George Gilks, Daniel Hibler, Robert McGregor, Philip T. Worthington, William Chapman, Mrs. George McDonald, C. Grassett (Cashier of the Commercial Bank), John Lawlor, James Fraser, all residents of Windsor. They are reputable and reliable persons, occupying stations of respectability in the neighbourhood.

GEO. LEGGATT, Judge County Court.
JOHN McEWAN, Sheriff of Essex.
FRANCOIS CARON, Police Magistrate for Windsor.
RICHARD J. BLOOMFIELD, Reeve of Windsor.
GEORGE SHIPLEY, Deputy Reeve, Windsor.
H. KENNEDY, Councillor, Windsor.
E. B. DONNELLY, M. D.
ALBERT PRINCE, Q. C.

CERTIFICATE OF S. S. MACDONELL.

I have read in the newspapers a copy of what purports to be the evidence of Merritt given before the Commission at Washington, in what are known as the conspiracy trials. I observe that Colonel Steele of Sandwich, is charged as having been present in Montreal in the month of February last, and holding interviews with certain parties there.

I have been shown a document or certificate signed by persons resident in this neighbourhood, showing that Colonel Steele could not have been absent from this place at the time stated without their knowledge; and mentioning the names of cer-

tain parties as furnishing depositions as to facts, the existence of which would, under the falsity of the witness, Merritt's statement with regard to Colonel Steele, a necessary inference.

I testify to the great respectability of those signing the document referred to, and also to the respectability and truthfulness of character of those persons named in the document as giving their depositions.

Without being intimately acquainted with Colonel Steele, I know enough of his habits to state that he frequented Windsor in such a way that his absence from the place for a period of several days would be noticed by citizens of Windsor, and by those who have signed the document given to him, and by those who have given their depositions.

Dated at Windsor, this 20th day of June, A. D. 1865.

S. S. MACDONELL,
Mayor of Windsor.

CERTIFICATE OF REV. MR. ELLIOTT.

SANDWICH, Canada West, 18th June, 1865.

Col. Steele having shown to me a number of the *Leader* containing the examination and evidence of J. B. Merritt, in which it is alleged that the former individual was in Montreal during the month of February last. In reference to such statement, I beg to certify that Col. Steele has been my next door neighbour upwards for upwards of a year and a half, whom I have been in the habit almost every day of meeting, and seeing passing and re-passing, and therefore can confidently affirm that, during the month above alluded to, Col. Steele could not have been absent without my notice or knowledge of the circumstance.

F. O. ELLIOTT, Incumbent,
St. John's Church, Sandwich, Essex, C. W.

From Toronto Globe of June 24th, 1865.

Now that he is in Washington, Conover has, it would appear, given an explanation that has the merit of brevity if none other. He says he is the man who swore in Montreal that he was James Watson Wallace, and that he never gave evidence before the Military Court at Washington. But, he alleges, the Montreal Confederates made him sign that false affidavit by holding a loaded pistol at his head! It is surprising it never occurred to Conover to expose this outrage before he left Montreal. So clever a man as he surely could have found some means of preferring a complaint against the authors of such an outrage. We suppose the Montreal Confederates will next be heard from in rejoinder.

From the Halifax Unionist.

The New York Herald of June 7, 1865, publishes what it terms "suppressed evidence," taken before the Military tribunal at Washington, with closed doors.

From personal knowledge we are prepared to state that much of this evidence is wholly false; and that when facts are stated, they are so distorted as to convey an entirely different impression from the correct one. We quote in full the

TESTIMONY OF JAMES B. MERRITT.

* * * * * * * * * * *

Mr. Clay arrived in this city on or about the middle of December, 1864. The precise date can be given, if need be. On the 13th of January he left in the steamer Old Dominion for Bermuda, with the intention of returning to the Confederacy. The Old Dominion, however, was ordered to England; and Mr. Clay went on board the Rattlesnake, commanded by Captain Usina. We subjoin Captain Usina's letter, which appeared in The Colonist of Saturday morning.

Mr. Editor: I notice in the suppressed evidence published in the New York papers of June 5th, the following statement of one James B. Merritt:

"I had a conversation with C. C. Clay in Toronto in February last. He spoke of the letter of Davis which Sanders had exhibited; he seemed to understand the character of the letter perfectly."

It is well known in Halifax that Mr. Clay arrived here about the 1st of December, and that he left in the steamer Old Dominion, January 12th, for Bermuda, and on the 19th of same month was a passenger in the steamship Rattlesnake, under my command. He was with me on board said steamer until February 3, when I landed him at Charleston, S. C. Comment would seem to be entirely unnecessary.

Truly yours,

M. P. USINA,
Master Steamship Whisper.

HALIFAX, June 9, 1865.

We have also received the following letter, concerning this suppressed evidence:

To the Editor of the Unionist:

SIR: In The New York Herald of the 7th of June, there is published what purports to be a portion of the "suppressed evidence" taken in the course of the assassination trial before the Military Court at Washington. This evidence implicates more or less directly, Messrs. Clay, Thompson, Cleary, Tucker and Sanders, in the murder of President Lincoln. I am prepared to show, not only that many of the statements made in this suppressed evidence are utterly false; but that at the time Mr. Clay is said to have been in Canada he was in the Confederate States.

To commence at the beginning. In February, 1864, Beverly Tucker arrived in this city from Richmond, via Wilmington and Charleston and Bermuda. His mission was to arrange for the sending of provisions into the Confederate States, to be exchanged for cotton. He remained in Halifax for some time, and was suffering severely from a Whitlow on his right thumb, which prevented him from writing. His dispatches and private letters were written by myself. Dispatches were sent to President Davis, R. M. T. Hunter, and others, urging upon the Confederate Government: First: The importance of making some provision for relieving Confederate soldiers, who had escaped to the Provinces from Northern prisons; and, secondly, the sending of an agent to Canada to influence the Presidential elections. Upon these representations, the Hon. J. P. Holcombe was sent out to arrange the first matter, and to investigate the Chesapeake affair; and Jacob Thompson and Clement C. Clay went to Canada to carry out the other half of the programme. When they speak of "removing President Lincoln from office"—if, indeed, they made any such remark—it referred to their manipulations of the political campaign against the Republican candidates. But for the military disasters which befel the South at election time, the result of Messrs. Clay and Thompson's mission would have been shown in the election of a Democratic President.

It will be seen that the objects of the three gentlemen I have thus referred to were of a peaceable and legitimate character.

George N. Sanders, who has figured in the papers frequently since his arrival in Canada last Autumn, had no authority to act in any way for the Confederate Government. He has been simply a zealous, and perhaps rather imprudent, advocate of the Southern cause.

One of the witnesses (Merritt) says he met Mr. Clay in Toronto, in February, 1865. Mr. Clay was in this city during December; I was in the habit of seeing him daily. On the 13th of January, he left here in the Old Dominion for Bermuda. I afterward heard of his having left Bermuda for Charleston in the Rattlesnake, which was destroyed off that port some time in February, the passengers and crew reaching the shore in safety.

I have the honor to be, yours, etc.,

CHARLES A. PILSBURY.

HALIFAX, June 9, 1865.

ANGLO-REBEL SKETCH OF Dr. MERRITT.

A lover of justice writes from Ayr to the Toronto *Leader*:

"Dr. Merritt came to reside in this village about the middle of last December. He gave the following account of his antecedents: He had for many years been a resident of the State of Tennessee—part of the time at Nashville, and part at Knoxville. He had been a practising physician in those places, and in that capacity had been the family physician of President Johnson, Parson Brownlow, and other persons of distinction. He had been Surgeon to a regiment of the American regular army before the breaking out of the war. He had also been engaged in the leather business, and owned a large tannery in Knoxville or Nashville, and a considerable tract of land about eight miles from the former city. On the breaking out of the war, he had been a strong Unionist, and continued to be so until President Lincoln issued his proclamation of emancipation. Dr. Merritt says that he and many others considered this proclamation as so gross an infringement of the constitution, as so flagrant an outrage upon the rights of the Southern people, and as so palpable and evident a proof of Lincoln's disposition to yield to the unjust demands of the Abolitionists and fanatics of the North, that they determined to resist and "die in the last ditch." He, accordingly, gave in his adhesion to the rebellion, joined the Southern army, and became Surgeon-General of one of the divisions of that army. Before the die was cast, however, he took means to secure a portion of his property in case of the failure of the rebellion. He says that he transferred his land to President Johnson and another person, whose name I have forgotten, and that these gentlemen immediately transferred the property to the Doctor's wife; that since he joined the Southern army, his wife had resided either in the North or in places occupied by Federal troops, and consequently her loyalty was unimpeached, and that portion of his property safe. The Federals, however, seized his tannery, and a large quantity of leather, and a quantity of stocks or bonds of some kind.

At Chattanooga he was taken prisoner by the Federals in November or December, 1863; was sent to the military prison at Washington, and kept in close confinement until June, 1864. At that time he was released, or escaped, and came to Canada, and, with the exception of occasional visits to the States, he resided in this Province since that term.

It was well known in this neighborhood that the Doctor went to Washington a few weeks ago, but not the slightest suspicion was entertained that he went to give evidence respecting the complicity of the Southerners in Canada with the assassination of the President. It was generally supposed that as Johnson was so great a friend of his, he had gone to endeavor to get back a part of his property. Neither when he came back did he ever hint that he had given any evidence against these parties. The publication of his evidence therefore took the people of this place entirely by surprise, and their remarks were anything but complimentary to the learned doctor.

He was generally denounced as either a spy or a traitor, or both. The question was generally asked, If he was cognisant of any attempt to assassinate the President, so far back as February last, why he did not denounce the assassins? By concealing his knowledge of the existence of such a diabolical plot, he is as guilty as the real contrivers, he was part of the conspiracy, and when the infernal crime, at which civilisation stands aghast, is perpetrated, he tries to save his neck or his purse by betraying his associates. This is the sort of a man we have as a resident of our village!

TESTIMONY OF RICHARD MONTGOMERY.

The following is the evidence of Richard Montgomery before the Military Commission. The principal object of it—so far as relates to the assassination of Mr. Lincoln—seems to be to fix the guilt of that crime on Col. Jacob Thompson and Mr. W. W. Cleary, who is represented as "the confidential, a sort of Secretary to Mr. Thompson." Those who have read the preceding testimony must have observed, that in every instance of a charge brought against either of those gentlemen with such particulars of time, place and circumstance, as to permit contradiction, the charge has been refuted by disinterested testimony. The same testimony will serve in a great measure to refute the most important part of the following evidence of Montgomery. Coming forward in the avowed character of a spy, of course his evidence, unsupported, is of no weight. But even with respect to a charge brought by him against Col. Thompson, in a manner so vague as to scarcely admit of contradiction by proof, a substantial refutation is made by evidence that at the time when a private and confidential conversation between the witness and Col. Thompson is supposed to have taken place, Col. Thompson knew that the witness was a Federal spy. A still more serious charge—the conversation at Montreal in January, 1865—has already been disproved by showing that Col. Thompson was not at Montreal in that month. So it has already been proved that Mr. Cleary was not at Montreal when this witness alleges that he saw him there after the assassination, and heard him talk wickedly about that crime and about burning papers.

Richard Montgomery, a witness called for the prosecution, being duly sworn, testified as follows:

By the Judge-Advocate—Q.—Are you a citizen of New York? A.—Yes, Sir.

Q.—State whether or not you visited Canada in the Summer of 1864? A.—I did.

Mr. Baxter's card gives some further account of this witness. (p. 58.)

Q.—How long did you remain there? A.—I remained there, going back and forth, ever since, until within about a week and a half or two weeks time.

Q.—Did you or not know in Washington City, Jacob Thompson, formerly Secretary of the Interior, and Clement C. Clay, formerly of the United States Senate? A.—I did.

Q.—Will you state whether you met these persons in Canada and when? A.—I met them in Canada, at Niagara Falls, at Toronto, at St. Catharines, and at Montreal a number of times, and very frequently since the Summer of 1864 up to this time.

Q.—Did you or not meet George N. Sanders? A.—I did.

Q.—And a man by the name of J. P. Holcombe? A.—Yes, Sir; Prof. Holcombe.

Q.—Can you name any other rebel citizen of the United States in Canada of note that you met? A.—Yes, Sir, I met Beverly Tucker, N. C. Cleary—I think those are the initials—and a great many others under fictitious names; there was another one by the name of Harrington. Those are the ones that I principally had communication with. I met another one by the name of Clay—not Clement C. Clay. I met one Hicks up there also.

Q.—Under how many different names did Jacob Thompson pass in Canada—do you know? A.—It would be impossible for me to tell you; I knew him under other names; his principal name was Carson.

Q.—Do you know under what names Clement C. Clay passed? A.—Yes, Sir; one of them was Hope, another T. E. Lacey; I have forgotten the initials of his name as Hope; T. E. Lacey was the principal one; another one was Tracy.

Q.—State any conversation you may have had with Jacob Thompson in Canada, in the Summer of 1864, in regard to putting the President of the United States out of the way, or assassinating him? A.—During the conversation in 1864, Jacob Thompson said that he had friends, Confederates, all over the Southern States, who were ready and willing to go any length for the good of the cause of the South, and he could at any time have the tyrant Lincoln and any others of his advisers that he chose put out of his way; that he would but have to point out the man that he considered in his way, and his friends, as he termed them, would put him out of it, and not let him know anything about it if necessary, and that they would not consider it a crime when done for the cause of the Confederacy.

The exact time of this conversation is not stated, nor the place, nor that any third person was present, so that it could hardly be disproved. But two witnesses—Young and Castleman—swear, that in August, 1864, this witness was known to them [redacted] Col. Thompson as a Federal officer and spy. If process for the pu[redacted] could run into the city of New York, respectable witnesses residing there, could be called to the same fact. (pp. 59 and 60.)

Q.—Did you or not see Thompson some time in the month of January, 1865, and where? A.—That was in Canada, in Montreal.

Q.—Will you state what he then said to you, if anything, in regard to a proposition which had been made to him to rid the world of the tyrant Lincoln? A.—He said a proposition had been made to him to rid the world of the tyrant Lincoln, Stanton, Grant, and some others; that he knew the men who had made the proposition were bold, daring men, and able to execute anything that they would undertake without regard to the cost; that he himself was in favor of the proposition, but had determined to defer his answer until he had consulted his government at Richmond, and that he was then only awaiting their approval. He said that he thought it would be a blessing to the people, both North and South, to have those men killed.

Q.—This was in January? A.—That was in January last.

Three times the attention of the witness is called to the date and he adheres to the month of January—a month in which it has been fully proved that Col. Thompson was not at Montreal—nor in December—nor until the 14th February. Thus the conversation in January is impossible; if it had been possible for Col. Thompson to hold such conversations with a man whom he had known since August to be a Federal spy.

Q.—What time in the month was it? A.—It was about the middle of the month; I saw him a number of times; I could not give the exact day of that conversation.

Q.—Was it about that time that you saw Clement C. Clay and had a conversation with him? A.—No, Sir; in the Summer of 1864, immediately after Mr. Thompson had told me what he was able to do, I repeated the conversation to Mr. Clay, and he said, "That's so; we are all devoted to our cause, and ready to go any length, to do anything under the sun," was his expression, I remember, "to serve their cause."

Q.—Look at these prisoners at the bar, and see if you recognize any of them as having been seen by you in Canada, and under what circumstances? A.—I have seen that one without his coat there (pointing to Louis Payne, one of the accused;) I do not know his name.

Q.—Will you state where and under what circumstances you saw him? A.—I have seen him a number of times in Canada. I saw him about the Falls in the Summer of 1864, and I saw him again, I guess it was, the last time that he and I had some words at the Queen's Hotel, at Toronto City, Canada West.

Q.—State all that occurred at that time? A.—I had had an interview of some time with Mr. Thompson. Several others had sought an interview while I was closeted with him, and had been refused admittance. After I was through with Mr. Thompson, and in leaving the room, I saw the man Payne in the passage-way near his door. Mr. Clement C. Clay, Jr., was talking with him at the time. Mr. Clay stopped me

and held my hands, finishing a conversation in an undertone with this man, and when he left me for a moment he said: "Wait for me, I will return." We then went out and spoke to some other gentleman who was entering Mr. Thompson's door, and he came and bid me good by, asking me where he could see me in half an hour, and I told him, and made an appointment to meet Mr. Clay. While Mr. Clay was away from me I spoke to this man and asked him who he was; I commenced talking about some of the topics that were usual topics of conversation among the men there, and he rather hesitated telling me who he was. He (Payne) said, "Oh! I am a Canadian," giving me to understand that I was not to ask any more.

Q.—Did you not ask Thompson or Clay who he was? A.—Yes, Sir; I made some mention in regard to this man to Mr. Clay in an interview I had with him about half an hour after I saw him standing in the passage way, and he said, "What did he say?" Said I, he said he was a Canadian, and he said that he is a Canadian and laughed.

Q.—Did he say he was one of their friends, or make any remark of that sort? A.—He said we can trust him.

Q.—What was the idea conveyed by the term "Canadian" with his laugh? A.—That was a very common expression among the friends of theirs that were in the habit of visiting the United States, and gave me to understand that I was not to ask any more questions; that their intercourse was of a very confidential nature, and that their business was of a very confidential nature.

Q.—Have you been to Canada since the assassination of the President? A.—Yes, Sir.

Q.—State whether you met any of these men, of whom you have spoken, on your return to Canada, and, if so, what conversation you had with them there in regard to the assassination of the President? A.—I met Beverly Tucker a very few days after the assassination three or four or five times.

Q.—Where? A.—At Montreal.

Q.—What conversation had you? A.—He said a great deal in conversation about the wrongs that the South had received from the hands of Mr. Lincoln, and that he desired his death long ago; that it was a pity he did not have it long ago, and it was too bad that the boys had not been allowed to act as they wanted to.

Q.—Do you mean by the boys the men who were to assassinate him? A.—Yes, Sir; the Confederate soldiers who were up there who had been engaged in their raids; they used the expression their boys in regard to their soldiers and the men in their employ; it is common among them.

Q.—Did you meet with Booth there? A.—No, Sir; I never saw Mr. Booth in Canada.

Q.—Did any of these men of whom you have spoken say that Booth was one of the men referred to by Jacob Thompson who was willing to assassinate the President? A.—No, Sir; W. H. Cleary told me; I related to him the conversation I had had, or a portion of it, with Mr. Thompson in January, and he said that Booth was one of the parties to whom Thompson had referred.

The time and place of this conversation with Mr. Cleary is not stated, nor that any third person was present, so that it cannot be directly disproved. But since the conversation in January with Col. Thompson never took place, it could not be mentioned by Montgomery to Cleary. But this evidence, and what follows with regard to Mr. Cleary, seems to be located at Montreal within "a very few days" after the assassination. Mr. Cleary had known long before that Montgomery was a spy. But Mr. Cleary was not at Montreal within a few days or a few weeks after the assassination, except to pass through that city on his way from Riviere du Loup, which he left on the 23d April—nine days after the assassination—for Western Canada (as appears by the affidavits of LaRochelle and LeMarquis), and he was at Detroit holding an interview with Mr. Emmons, agent of the State Department, on the 28th or 29th of April (or both days), as appears by the safe conduct granted to him for that purpose. It does not appear that the witness could have been in

Montreal at any later day and then have been at Washington on the day he testified. What did occur within a few days after the assassination, and when Col. Thompson and Mr. Cleary heard of it at Riviere du Loup, is stated in the affidavits of Mr. LaRochelle, hotel-keeper there, and Mr. LeMarquis, of the same place. Both Thompson and Cleary expressed regret, and regarded the assassination as a great calamity. And then, Mr. Cleary, who is said to have known that he was suspected, and that he was about to be indicted, travelled back all the way to Detroit to put himself in communication with Federal officers, and returned from there again to Toronto where, in fact, he was indicted! (pp. 26 and 27.)

Q.—Did he say in that connection anything further in regard to him? A.—No, Sir; he said in regard to the assassination, that it was too bad; but the whole work had not been done.

Q.—What did you understand by that expression, "The whole work" A.—I inferred that they intended to assassinate a greater number than they succeeded in trying to.

Q.—Do you know what relation this man Cleary, sustained to Thompson? A.—Mr. Holcombe told me I would find Mr. Cleary to be the confidential, a sort of Secretary, to Mr. Thompson. Mr. Thompson told me he was posted on all his affairs, and that if I sought him at any time that he might be away, I could state my business to Mr. Cleary and it would be all the same; that I could have perfect confidence in him; that he was a very close-mouthed man.

Q.—Did Cleary make any remark when speaking of his regret that the whole work had not been done? Was any threat made to the effect that it would yet be done? A.—Yes, Sir; he said "they had better look out, we are not done yet;" and remarked that they never would be conquered—never would give up.

Q.—What statement did Cleary make to you, if any, in regard to Booth's having visited Thompson? A.—He said that he had been there in the Winter; that he thought the last time was in December; he had also been there in the Summer; he said he had been there before December; he thought that that was the last time.

Q.—On your return to Canada did you learn from these parties that they supposed themselves to be suspected of this assassination, and were they taking any steps to conceal the evidence of their guilt? A.—Oh, yes Sir; they knew a very few days after the assassination that they were suspected of it.

Q.—What did you learn they were doing, if anything? A.—They were destroying a great many papers; they also knew that they were going to be indicted in Canada for violation of the neutrality laws a number of days before they were indicted.

Q.—Which one of them? A.—Each of them made mention of that. Tucker and Cleary both said they were destroying papers.

Q.—Have you stated what Tucker said to you. You had an interview with him after you returned? A.—Yes, Sir; he said it was too bad they had not been allowed to act when they wanted to.

Q.—(Submitting to the witness a paper containing a secret cipher)—Q.—Will you look at that paper, and state if you are familiar with the ciphers used by the Confederate authorities? A.—I am familiar with two of them.

Q.—Is that one of them or not? A.—Yes, Sir.

The paper containing the cipher was here offered in evidence.

Q.—Do you recognise that as one of the ciphers in use among the Confederates? A.—Yes, Sir.

Q.—During your stay in Canada were you or not in the service of the government and seeking to acquire for its use information in regard to the plans and purposes of the rebels who were known to be assembled there? A.—I was.

Q.—To enable you to do this did you, or not, deem it proper and necessary that you should assume a different name from your real name, and under which you appear now before this Court? A.—Yes, Sir, I did.

Q.—How did you learn they were destroying papers about that time? A.—They told me.

Q.—Which one of them? A.—Each of them made mention of that.

Q.—What name did you assume in your intercourse with them? A.—I assumed

the name of James Thompson, and then leading them to suppose that that was my right name, and that I wished to conceal it there, so as not to be identified by Federal spies, I adopted other names. At any hotel I might be stopping, I never registered "Thompson" on the book. I led them to suppose that I wished to conceal that name; but James Thompson was the name that they supposed was my proper name.

Q.—Your whole object in all this was simply to ascertain their plans against the Government of the United States? A.—Yes, Sir; that was my whole object.

Q.—Will you state how you became acquainted with this cipher which has just been shown you? A.—I saw that cipher in Mr. Clay's house, the private house in which he was stopping in St. Catharines.

Q.—When was that? A.—That was in the summer of 1864.

Q.—Have you not also been the bearer of dispatches for these persons? A.—Yes Sir, I was intrusted with dispatches to carry from Canada to Richmond.

Q.—Did you carry them? A.—I carried some to Gordonsville, with instructions that I was to send them from there.

Q.—Did you receive dispatches in reply? A.—Once I did.

Q.—Were they carried back? A.—Yes, sir, they were carried back.

Q.—Did you come through Washington? Did you make them known to the government? A.—Yes, Sir; each time; I delivered the dispatches always to the government of the United States; I passed nothing that I took except by their permission.

Q.—From whom were the dispatches received at Gordonsville? A.—A gentleman who represented himself to me as being in their State Department, and sent with the answer by their Secretary of State.

Q.—And you bore the dispatches to whom—to Clay or Thompson? A.—I bore them back to Mr. Thompson.

Q.—All these men—Thompson, Clay and Cleary—represented themselves as being in the service of the Confederate Government? A.—Yes, Sir.

Q.—When was it that you received that dispatch at Gordonsville? A.—It was in the Fall; I believe it was in October.

Q.—Did you ever hear the subject of the raids from Canada upon our frontier of of the burning of our cities, spoken of among these conspirators? Yes, sir; many times.

Q.—By Thompson, Clay, Cleary, Tucker, Sanders and those men? A.—Yes, Sir; I know that Mr. Clay was one of the prime movers in the matter before the raids were started.

Q.—You understood, in your conversation with them, that all these men fully approved of these enterprises? A.—Yes, Sir; they received the direct indorsement of Mr. Clement C. Clay, jr.; he represented himself to me as being a sort of representative of the War Department.

Q.—Do you not consider that you enjoyed fully the confidence of those men, so as that they freely communicated to you? A.—I do; I do not think they would have intrusted those dispatches to me unless they had the fullest confidence in me.

Q.—Did they not at all times represent themselves as acting under the sanction of their government at Richmond? A.—They represented themselves as having full power to act without reference to it; they repeatedly told me, both Mr. Clay and Mr. Thompson, that they had full power to act by their government in anything they deemed expedient and for the benefit of their cause.

Q.—Were you in Canada at the time the attempt was made to fire the City of New York. A.—Yes, Sir.

Q.—Was that the subject of much conversation among these people? A.—I left Canada with the news two days before the attempt was made, to bring it to the Department at Washington.

Q.—That such a project was contemplated? A.—Yes, Sir.

Q.—You knew that it originated there, and had the full sanction of these men? A.—Yes, Sir.

Q.—Do you mean to say the same in regard to the St. Albans raid? A.—Yes, Sir; I did not know the point where that raid was to be made, but I told the government at Washington that they were about to set out on a raid of that kind, before the St. Albans raid. I also told them of the intended raid on Buffalo and Rochester; and by that means prevented these raids.

Q.—Capt. Beale, who was subsequently hanged at New York was known there as leading in this enterprise, was he not? A.—I did not know him by that name.

Q.—Was he spoken of among these men? A.—I never heard him spoken of. They were in the habit of using their fictitious names in conversation with each other.

Q.—You say you do not know anything about Beale? A.—No, Sir; I knew that the object of his mission was contemplated; I did not know who were to be the immediate executors of the plot; I knew of the plan at the time and reported it.

Q.—Did you hear the subject of the funds by which all these enterprises were carried on spoken of among those conspirators as to who had the funds, or the amount they had, or anything of that sort? A.—Yes, Sir; in regard to the raiding, Mr. Clay had funds.

Q.—Did you ever hear of the probable amount spoken of by any of them? A.—No, Sir; he represented to me that he had always plenty of money to pay for anything that was worth paying for; he told me he had money.

Q.—Do you know in what bank in Montreal these rebels kept their money and funds? A.—No, Sir; I do not.

Q.—You know that there is a bank of Ontario in Montreal? A.—Yes, Sir, I know that there is such a bank. I know that they deposited in several different banks. They transacted a good deal of business in which I think is called the Niagara District Bank. It is almost opposite where Mr. Clay's residence was in St. Catharines during last Summer. They transacted a great deal of business at that bank.

Q.—What seemed to be George N. Sanders position there, if he had a defined position? A.—Mr. Clay told me that I had better not tell him the things that they intrusted to me; that he was a very good man to do their dirty work. That is just what Mr. Clay told me.

Q.—He was then doing their work, but it was dirty work? A.—Mr. Clay said he associated with men that they could not associate with; that he was very useful to them in that way; that he was a very useful man to them indeed.

Cross-examined by Mr. Aikon—Q.—Where are you from? A.—New York City originally.

Q.—What time in the year was it that you said Mr. Thompson told you a proposition had been made to him? A.—In the early part of the year; in January.

Q.—You stated, I think, immediately after that you saw Mr. Clay? A.—No, Sir; I did not.

Q.—When did you see Mr. Clay? A.—Immediately after the conversation in the summer.

Q.—The summer of 1864? A.—Yes, Sir; in which he spoke to Mr. Thompson of being able to put the President out of the way whenever he was ready.

Q.—Did you ever hear anything in Canada of Mr. Surratt as being connected with the plot? A.—I did not.

Q.—Did you receive any pay from the Confederate government for going to Gordonsville with dispatches. A.—I received for the services, to defray railroad expenses, the equivalent of $150 in greenbacks.

Q.—Was it not $150 in greenbacks? A.—It was. I have forgotten the amount in Canada money. Gold was about 260 at the time. I have forgotten what it was that I received, but reported the fact of having received it to the War Department at Washington, and applied it on my expense account as having received it from the government.

Q.—On your return with the Gordonsville dispatches for the rebels in Canada, did you leave a copy of those dispatches here? A.—I handed the original dispatches over to the authorities, and those of them that they selected to go forward I carried on, and those they did not they retained.

By the Court—Q.—I want to ask an explanation of an answer made. I understood you, in your testimony, to say that after the assassination of the President, some of those who had been engaged in it returned to Canada, and you say they expressed regret that they had not been allowed to proceed earlier. A.—You misunderstood me. I did not say that any of those who had been engaged in the attempt of assassination, or in the assassination, had returned to Canada.

Q.—But those who directed it from Canada expressed regret that they had not been allowed to proceed sooner? A.—One of the parties, the one who represented himself as being a commercial agent, Mr. Beverley Tucker, said it was a pity that the boys had not been allowed to act when they first wanted to.

Q.—Did you understand why they were prevented in not proceeding sooner? A.—I did not; I inferred, though, from what I heard from Mr. Thompson before, that he had detained them in order that he might choose a fitting opportunity.

Q.—Your impression was that they were detained up to that time by Mr. Jacob Thompson? A.—I inferred so, because when he spoke of the matter to me, in his conversation of January, 1865, he said he was in favor of the proposition that had been made to him, to put the President, Mr. Stanton, Gen. Grant and others out of the way, but had deferred giving his answer until he had consulted his government at Richmond, and was then only waiting their approval.

Q.—Did you understand that he had received the answer, and had given the direction following that? A.—I never understood so; I never asked the question or received that reply.

Q.—What was your impression? A.—My impression was that he had received the answer. I inferred that he had received their approval, and that they had been detained waiting for that, from what Beverley Tucker said.

Q.—I understood you to mention the name of Prof. Holcombe in connection with that of Sanders, Clay and others; I would like to know how far you can identify him in the movements, plans, and operations of those men? A.—I made a proposition to Mr. Clay to carry dispatches for them, and to do this work as a means of getting into their confidence, and Mr. Cleary told me, before Mr. Holcombe, that he had authority to sign his (Clay's) name by power of attorney, and his own, both of them being representatives of the Confederate States Government, as they called it.

CARD OF R. BAXTER.

THE CONSPIRACY TRIAL.

NEW YORK, June 13, 1865.

To the Editor of the New York News:

I observe the name of Richard Montgomery figuring in the Booth conspiracy case. This Montgomery obtained a commission in a New York regiment during the war, [illegible] was deprived of it for fraud, and soon after fell into the hands of the civil [illegible]horities on a charge of seduction and robbery. The records of this latter state[illegible]nt may be had at the Tombs, and the particulars of his military exploit I obtained [illegible]m Col. Goodwin, of No. 104 West Forty-ninth street, who is ready to substantiate [illegible]e said.

Yours,

R. BAXTER.

AFFIDAVIT OF GEO. T. DENISON, Jr.

CANADA, City of Toronto, to wit:

I, George Taylor Denison, the younger, of the City of Toronto, in the County of York, Barrister-at-Law, make oath and say as follows, that is to say:

1. That I have read the published testimony of one Richard Montgomery, in the assassination conspiracy trial pending in Washington, in which he is said to have sworn that he saw the Hon. Jacob Thompson in Montreal in the month of January, 1865, in the middle of the month. That I have also read the published testimony of one Sandford Conover, on the same trial, in which he is said to have sworn that he heard conversations, about the poisoning the Croton Reservoir, between Lewis Sanders, Jacob Thompson, and Cleary, in January last.

2. That I know the statements of Richard Montgomery and Sandford Conover, as

above mentioned, so far as relates to Col. Jacob Thompson being in Montreal in the month of January last, are untrue. That I saw Col. Jacob Thompson in Toronto during the whole month of January, 1865, from the second of the month until the 13th of February. That I saw him from day to day, every day but one day, except Sundays, during that whole time, and went to the station with him, and saw him off for Montreal, on the thirteenth day of February last. That he could not possibly have gone to Montreal, or have left the City of Toronto for a day, during the whole time, from the 2nd January until the 13th February, without my knowing of it. And that I have no hesitation in saying that the above-mentioned statements of Richard Montgomery and Sandford Conover, so far as relates to Col. Jacob Thompson, are utterly untrue.

3. That I have read also in Sandford Conover's published testimony, in the same case, a statement to the effect that he had heard a conversation with Cleary in the St. Lawrence Hall Hotel, in Montreal, on the day before, or the same day, of the assassination of President Lincoln.

4. That I left Montreal on Monday, the tenth day of April, in the evening train for Quebec, with Col. Jacob Thompson and W. W. Cleary, and, on the morning of Tuesday, the 11th, I left them and bade them adieu on the station at Point Levi, they being then on their way to Riviere du Loup. On the thirteenth of April I left Quebec, and arrived in Montreal on the fourteenth, about seven a.m., at the St. Lawrence Hall Hotel. That I was about the Hotel nearly all day, and did not see Cleary there during the time I was there; and that I do not believe he could have been there without me knowing it, as I saw several of his friends, Southern gentlemen, there, who, knowing that I had left Montreal with him a few days before, asked me about him, and how he and Col. Thompson had got along, and whether I had left them at Point Levi.

GEORGE T. DENISON, Jr.

Sworn before me at Toronto, in the County of York, this twenty-third day of June, A.D. 1865, C. Robinson, a Commissioner in B. R., &c., in and for the County of York.

AFFIDAVIT OF B. H. YOUNG.

Province of Canada, City of Toronto, to wit:

I, Bennett Henderson Young, at present residing in the City of Toronto, formerly of the Town of Nicholasville, in the State of Kentucky, latterly officer of the Confederate Army, make oath and say:

1. That I have read in the *New York Times* what is stated to be an accurate copy of the suppressed testimony of Richard Montgomery and Sandford Conover, *alias* James Watson Wallace.

2. I recollect seeing Montgomery in the early part of August, in the year one thousand eight hundred and sixty-four, at the Queen's Hotel, in Toronto.

3. He came to Toronto under the name of James Thomson.

4. On the day of his arrival I was informed by Mr. Jacob Thompson, that he and Mr. Cleary had been notified that the said James Thomson was a United States detective spy, in the employment of Mr. Murray, United States Marshall for the State of New York, and that his real name was Montgomery.

5. Under the instruction of Mr. Jacob Thompson, I went abruptly to the said James Thomson and addressed him by the name of Montgomery, telling him I knew he was an employee in the service of Marshall Murray.

6. At first, though considerably confused, he tried to persuade me that I was mistaken in the man, but when he found that I was positive in what I stated, and that I did not seem to be shaken in my conviction, he turned away in confusion and left me, and, I believe, left the City of Toronto that day. That I, myself, and several other persons were on the look out to get a sight of him again, but that we never saw him after that day, and I do not believe, after that day, he was again in the City of Toronto. And I believe none of the conversations detailed by him in the City of Toronto could have taken place in that city.

As to the evidence given by the said Conover, in which he states that I received a commission in blank, I say that I never held but one commission in the Confederate Army, and that I received that commission—a commission for a first lieutenant in the said army—from the hands of Mr. Seddon himself, in the City of Richmond, and that

it was duly filled up, executed, and signed, at the time I received it, that there was no blank to be filled up at the time I received it. And that I never received a commission, either in blank or otherwise, from Mr. Jacob Thompson, or from any one else in the Province of Canada. That I never saw a blank commission in the Confederate service, and that I do not believe any commission in blank ever were held, or in existence, or in the hands of any one in Canada, or that commissions ever were issued in blank, and that I never heard of such a thing.

BENNETT H. YOUNG.

Sworn before me, at Toronto, this 27th day of June, 1865, GEORGE BOOMER, Police Magistrate for Toronto.

AFFIDAVIT OF JOHN B. CASTLEMAN.

PROVINCE OF CANADA, City of Toronto, to wit:

I, John B. Castleman, at present residing in the City of Toronto, but formerly of Fayette County, in the State of Kentucky, one of the United States of America, an officer in the Confederate army, make oath and say:—

1. That I am well acquainted with Jacob Thompson and W. W. Cleary.
2. That I was in the City of Toronto in the early part of August last (1864) in the company of the said Jacob Thompson and W. W. Cleary, and I know that Richard Montgomery, then passing under the name of James Thompson, was at that time known to them as an United States detective and spy from New York.
3. That said Montgomery was recognised and denounced as a Federal detective, in the employ of the United States Marshal, Murray, within a few hours after his arrival in Toronto, by a friend from New York City then present.
4. That the said Jacob Thompson and Cleary conversed with me at that time as to their knowledge of the true character of Montgomery *alias* Thompson.
5. That Montgomery, so soon as he was discovered, left the Queen's Hotel where he was stopping, and, I believe, the City of Toronto, for I with others searched for him and were unable to find him.
6. That I was on intimate terms with said Jacob Thompson and W. W. Cleary, both before and since the day on which Montgomery came to Toronto, and never seen or heard of him being with them at any time, and do not believe he could have been in their company without my knowledge.

J. B. CASTLEMAN.

Sworn before me at the City of Toronto this 19th day of August, A.D. 1865, J. M. CAMAVAN, Justice of the Peace, and a Commissioner in B. R., in and for County of York.

AFFIDAVIT OF CHARLES B. CHADWICK.

PROVINCE OF CANADA, District of Montreal:

Charles B. Chadwick, of the city and district of Montreal, in the Province aforesaid, book-keeper, in the employ of Henry Hogan, Esq., proprietor of the Saint Lawrence Hall, of Montreal, aforesaid, being duly sworn upon the Holy Evangelists of Almighty God, deposeth and saith: that he knows and is acquainted with Colonel Jacob Thompson and William W. Cleary, Esquires, parties against whom certain charges are pending before the United States Government, that the said Jacob Thompson arrived at the Saint Lawrence Hall, and was a guest of the house from the fourteenth of February one thousand eight hundred and sixty-five, at noon, until the tenth day of April last passed, at night when as deponent believes he left there for River du Loup, Canada East, that the said William W. Cleary arrived at the Saint Lawrence Hall on the tenth of the month of February, and left on the fourteenth of March, and arrived again at the Saint Lawrence Hall on the twenty-second day of the same month of March, and left in company of the said Jacob Thompson on the said tenth of April last passed. Deponent is positive that the dates above given are correct, as the arrival and departure of guests at the Saint Lawrence Hall are regularly entered

in the Books of the concern, and the accounts of the guests are accordingly made from the books, and further deponent saith not.

CHARLES B. CHADWICK.

Sworn before me at the City of Montreal this sixth day of July, one thousand eight hundred and sixty-five.

JAS. SMITH, C.S.C.

AFFIDAVIT OF HENRY WINNETT.

PROVINCE OF CANADA, City of Toronto, to wit:

I, Henry Winnett, of the City of Toronto aforesaid, Book-keeper in the Queen's Hotel, in the said City of Toronto, make oath and say:

1. That I am employed in the Queen's Hotel, in the said City of Toronto, and have, together with Mr. Thomas McGaw, charge of the book in which the names of all visitors to the said Hotel are registered.

2. That I have been engaged in the said Hotel from the 1st day of August, A.D. 1864.

3. That I know Jacob Thompson, Colonel in the service of the Confederate States of America.

4. That from the entries in the said book, the said Colonel Jacob Thompson appears to have been a visitor at the said Hotel from the fourteenth day of June, A.D. 1864, until the thirteenth day of February, A.D. 1865.

5. That between the said fourteenth day of June and the said thirteenth day of February, A.D. 1865, the said Colonel Jacob Thompson was at the said Hotel every day, except during the following periods, namely: from the eighteenth day of said month of June, 1864, until the eighteenth day of July then next ensuing; and from the twenty-seventh day of September, A.D. 1864, until the third day of October, A.D. 1864; and from the tenth day of October, A.D. 1864, until the twenty-first day of December, A.D. 1864, until the twenty-fourth day of the same month.

6. That I also knew W. W. Cleary.

7. That he, also, was a visitor or boarder at the said Hotel, from the seventh day of February, A.D. 1865, until the fourth day of May, in the said year of 1865.

8. That between the said seventh day of February, A.D. 1865, and the fourth day of May, A.D. 1865, the said W. W. Cleary was at the said Hotel every day, except during the following periods, namely: from the ninth day of February, A.D. 1865, until the thirty-first day of March, A.D. 1865; and from the third day of April, A.D. 1865, until the twenty-ninth day of same month; and was not absent at any time, with the exceptions above mentioned, sufficiently long to have gone to Montreal, and I verily believe he was not in Montreal during that period.

H. WINNETT.

Sworn before me, at the City of Toronto, this 19th day of August, A.D. 1865, JOHN CANAVAN, Justice of the Peace for City of Toronto.